Legend

		Agreed	
		Modifications/ corrections of clerical	
		errors in Common Understanding	
	Additions to COM proposal	Provisionally agreed	
	Deletions to COM proposal		
		To be further discussed at technical level	
		To be further discussed at political level	

7002/19 PG/nj 1
ECOMP.3.C. **LIMITE EN**

= Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the space programme of the Union and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013, (EU) No 377/2014 and 541/2014/EU

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
2018/0236 (COD)		2018/0236 (COD)	2018/0236 (COD)	1
Proposal for a		Proposal for a	Proposal for a	2
REGULATION OF THE		REGULATION OF THE	REGULATION OF THE	3
EUROPEAN PARLIAMENT		EUROPEAN PARLIAMENT	EUROPEAN PARLIAMENT	
AND OF THE COUNCIL		AND OF THE COUNCIL	AND OF THE COUNCIL	
establishing the space programme		establishing the space programme	establishing the space programme	4
of the Union and the European		of the Union and the European	of the Union and the European	
Union Agency for the Space		Union Agency for the Space	Union Agency for the Space	
Programme and repealing		Programme and repealing	Programme and repealing	
Regulations (EU) No 912/2010,		Regulations (EU) No 912/2010,	Regulations (EU) No 912/2010,	
(EU) No 1285/2013, (EU)		(EU) No 1285/2013, (EU)	(EU) No 1285/2013, (EU)	
No 377/2014 and		No 377/2014 and	No 377/2014 and	
Decision 541/2014/EU		Decision 541/2014/EU	Decision 541/2014/EU	
(Text with EEA relevance)		(Text with EEA relevance)	(Text with EEA relevance)	5
THE EUROPEAN		THE EUROPEAN	THE EUROPEAN	6
PARLIAMENT AND THE		PARLIAMENT AND THE	PARLIAMENT AND THE	
COUNCIL OF THE		COUNCIL OF THE	COUNCIL OF THE	
EUROPEAN UNION,		EUROPEAN UNION,	EUROPEAN UNION,	
Having regard to the Treaty on		Having regard to the Treaty on	Having regard to the Treaty on	7
the Functioning of the European		the Functioning of the European	the Functioning of the European	
Union, and in particular		Union, and in particular	Union, and in particular	
Article 189(2) thereof,		Article 189(2) thereof,	Article 189(2) thereof,	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
Having regard to the proposal		Having regard to the proposal	Having regard to the proposal	8
from the European Commission,		from the European Commission,	from the European Commission,	
	AMD 1 - having regard to the Commission communication of 14 September 2016 entitled 'Connectivity for a Competitive Digital Single Market – Towards a European Gigabit Society' (COM(2016)0587) and the accompanying Commission staff working document (SWD(2016)0300),		EP OK to withdraw	8a
	AMD 2 - having regard to the Commission communication of 14 September 2016 entitled '5G for Europe: An Action Plan' (COM(2016)0588) and the accompanying Commission staff working document (SWD(2016)0306),		EP OK to withdraw	8b
After transmission of the draft legislative act to the national parliaments,		After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	9
Acting in accordance with the ordinary legislative procedure,		Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	10
Whereas:		Whereas:	Whereas:	11

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(1) Space technology, data and	AMD 3	(1) Space technology, data and	(1) Space technology, data and	12
services have become	(1) Space technology, data and	services have become	services have become	
indispensable in the daily lives of	services have become	indispensable in the daily lives of	indispensable in the daily lives of	
Europeans and play an essential	indispensable in the daily lives of	Europeans and play an essential	Europeans and play an essential	
role in preserving many strategic	Europeans and play an essential	role in preserving many strategic	role in preserving many strategic	
interests. The Union's space	role in preserving many strategic	interests. The Union's space	interests. The Union's space	
industry is already one of the	interests. The Union's space	industry is already one of the	industry is already one of the	
most competitive in the world.	industry is already one of the	most competitive in the world.	most competitive in the world.	
However, the emergence of new	most competitive in the world.	However, the emergence of new	However, the emergence of new	
players and the development of	However, the emergence of new	players and the development of	players and the development of	
new technologies are	players and the development of	new technologies are	new technologies are	
revolutionising traditional	new technologies are	revolutionising traditional	revolutionising traditional	
industrial models. It is therefore	revolutionising traditional	industrial models. It is therefore	industrial models. It is therefore	
crucial that the Union remains a	industrial models. It is therefore	crucial that the Union remains a	crucial that the Union remains a	
leading international player with	crucial that the Union remains a	leading international player with	leading international player with	
extensive freedom of action in the	leading international player with	extensive freedom of action in the	extensive freedom of action in the	
space domain, that it encourages	extensive freedom of action in the	space domain, that it encourages	space domain, that it encourages	
scientific and technical progress	space domain, that it encourages	scientific and technical progress	scientific and technical progress	
and support the competitiveness	scientific and technical progress	and support the competitiveness.	and support the competitiveness	
and innovation capacity of space	and support the competitiveness	including at international level,	and innovation capacity of space	
sector industries within the	and innovation capacity of space	and innovation capacity of space	sector industries within the	
Union, in particular small and	sector industries within the	sector industries within the	Union, in particular small and	
medium-sized enterprises, start-	Union, in particular small and	Union, in particular small and	medium-sized enterprises, start-	
ups and innovative businesses.	medium-sized enterprises, start-	medium-sized enterprises, start-	ups and innovative businesses.	
	ups and innovative businesses. At	ups and innovative businesses.		
	the same time, it is important to	To maximise socio-economic		
	create the appropriate conditions	benefits, the Programme should		
	to ensure a global level playing	take stock of the synergies		
	field for companies active in the	among its respective		
	space sector.	components.		

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(2) The space sector's	AMD 4	(2) The Union's security and		13
development has historically been	(2) The space sector's	defence policy is determined	(2) The possibilities that space	
linked to security. In many cases,	development has historically been	within the framework of the	offers for the security of the	
the equipment, components and	linked to security. In many cases,	Common Foreign and Security	Union and its Member States	
instruments used in the space	the equipment, components and	Policy, in accordance with Title	should be exploited as referred to	
sector are dual-use goods. The	instruments used in the space	V TEU. The possibilities that	in particular in the Global	
possibilities that space offers for	sector are dual-use goods. The	space offers for the security of	Strategy for the European Union's	
the security of the Union and its	possibilities that space and	the Union and its Member	Foreign and Security Policy of	
Member States should therefore	autonomous access to space	States should be exploited as	June 2016, while retaining the	
be exploited.	offers for the security <i>and</i>	referred to in particular in the	civil nature of the programme and	
	<i>independence</i> of the Union and	Global Strategy for the	respecting the possible neutrality	
	its Member States should	European Union's Foreign and	or non-alignment provisions	
	therefore be exploited.	Security Policy of June 2016,	stipulated in the constitutional	
		while retaining the civil nature	law of Member States. The space	
		of the programme and	sector's development has	
		respecting the possible	historically been linked to	
		neutrality or non-alignment	security. In many cases, the	
		provisions stipulated in the	equipment, components and	
		constitutional law of Member	instruments used in the space	
		States. The space sector's	sector as well as space data and	
		development has historically been	services are dual-use. However,	
		linked to security. In many cases,	the Union's security and defence	
		the equipment, components and	policy is determined within the	
		instruments used in the space	framework of the Common	
		sector as well as space data and	Foreign and Security Policy, in	
		services are dual-use. goods. The	accordance with Title V TEU.	
		possibilities that space offers for		
		the security of the Union and its		
		Member States should therefore		
		be exploited. However, the		

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
		<u>Union's security and defence</u>		
		policy is determined within the		
		framework of the Common		
		Foreign and Security Policy, in		
		accordance with Title V TEU.		
(3) The Union has been	<u>AMD 5</u>	(3) The Union has been	(3) The Union has been	14
developing its own space	(3) The Union has been	developing its own space	developing its own space	
initiatives and programmes since	developing its own space	initiatives and programmes since	initiatives and programmes since	
the end of the 1990s, namely the	initiatives and programmes since	the end of the 1990s, namely the	the end of the 1990s, namely the	
European Geostationary	the end of the 1990s, namely the	European Geostationary	European Geostationary	
Navigation Overlay Service	European Geostationary	Navigation Overlay Service	Navigation Overlay Service	
(EGNOS) and then Galileo and	Navigation Overlay Service	(EGNOS) and then Galileo and	(EGNOS) and then Galileo and	
Copernicus, which respond to the	(EGNOS) and then Galileo and	Copernicus, which respond to the	Copernicus, which respond to the	
needs of Union citizens and the	Copernicus, which respond to the	needs of Union citizens and the	needs of Union citizens and the	
requirements of public policies.	needs of Union citizens and the	requirements of public policies.	requirements of public policies.	
Not only should the continuity of	requirements of public policies.	Not only should the The	The continuity of those initiatives	
those initiatives be ensured but	The continuity of those	continuity of those initiatives-, as	should be ensured and the	
they must also be improved, so	initiatives, as well as their uptake	well as their use and the uptake	services they provide should be	
that they remain at the forefront	and use, should be ensured and	of the data, information and	improved, so that they meet the	
in view of new technology	must also be improved, so that	services they provide, should be	new needs of users, remain at the	
development and the	they remain at the forefront in	ensured but they . Those	forefront in view of new	
transformations in the digital and	view of new technology	<u>inititatives</u> must also be	technology development and the	
information and communications	development and the	improved, so that they meet the	transformations in the digital and	
technology domains, meet the	transformations in the digital and	new needs of users, remain at the	information and communications	
new needs of users and are able	information and communications	forefront in view of new	technology domains and are able	
to meet political priorities such as	technology domains, meet the	technology development and the	to meet political priorities such as	
climate change, including	new needs of users and are able	transformations in the digital and	climate change, including	
monitoring changes in the Artic,	to meet political priorities. <i>The</i>	information and communications	monitoring changes in the polar	
security and defence.	Programme should promote	technology domains, meet the	region, transport, security and	
	space-based services also so that	new needs of users and are able	defence.	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
	all Member States and their citizens can fully reap the benefits of the Programme.	to meet political priorities such as climate change, including monitoring changes in the Artic polar region, transport, security and defence.		
			(3a) Synergies between the transport, space and digital sector needs to be exploited in order to foster the broader use of new technologies (such as e-call, digital tachograph, traffic supervisions and management, autonomous driving, unmanned vehicles and drones) and tackle the needs of secure and seamless connectivity, robust positioning, inter modality and interoperability, thus enhancing the competitiveness of transport services and industry.	14a
			(3b) To fully reap the benefits of the Programme, in all Member States and by all their citizens, it is also essential to promote the use and the uptake of the data, information and services provided, as well as the support the development of downstream applications based on those data,	

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
			information and services. To that	
			end, the Member States, the	
			Commission and the responsible	
			entities could notably periodically	
			run the information campaigns	
			regarding the benefits of the	
			Programme.	
(4) The Union needs to ensure its	<u>AMD 6</u>	(4) The Union needs to ensure its	(4) To achieve the objectives of	15
freedom of action and autonomy	(4) The Union needs to ensure	To achieve the objectives of	freedom of action, independence	
to have access to space and be	its freedom of action and	freedom of action and autonomy	and security, a prerequisite is for	
able to use it safely. It is therefore	autonomy to have access to space	to have security, a prerequisite is	the Union to benefit from an	
essential that it maintains	and be able to use it safely. It is	for the Union to benefit from	autonomous access to Space and	
autonomous, reliable and cost-	therefore essential that it	an autonomous access to	be able to use it safely. It is	
effective access to space,	maintains autonomous, reliable	space Space and be able to use it	therefore essential that the Union	
especially as regards critical	and cost-effective access to	safely. It is therefore essential	supports autonomous, reliable	
infrastructure and technology,	space, including alternative	that it maintainsthe Union	and cost-effective access to	
public security and the security of	launching technologies and	supports autonomous, reliable	space, especially as regards	
the Union and its Member States.	innovative systems or services,	and cost-effective access to	critical infrastructure and	
The Commission should therefore	especially as regards critical	space, especially as regards	technology, public security and	
have the possibility to aggregate	infrastructure and technology,	critical infrastructure and	the security of the Union and its	
launch services at European level,	public security and the security of	technology, public security and	Member States. The Commission	
both for its own needs and, at	the Union and its Member States.	the security of the Union and its	should therefore have the	
their request, for those of other	The Commission should therefore	Member States. The Commission	possibility to aggregate launch	
entities, including Member	have the possibility to aggregate	should therefore have the	services at European level, both	
States, in conformity with the	launch services at European level,	possibility to aggregate launch	for its own needs and, at their	
provisions of Article 189(2) of	both for its own needs and, at	services at European level, both	request, for those of other	
the Treaty. It is also crucial that	their request, for those of other	for its own needs and, at their	entities, including Member	
the Union continues to have	entities, including Member	request, for those of other	States, in conformity with the	
modern, efficient and flexible	States, in conformity with the	entities, including Member	provisions of Article 189(2) of	
launch infrastructure facilities. In	provisions of Article 189(2) of	States, in conformity with the	the Treaty. To remain	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
addition to measures taken by	the Treaty. It is also crucial that	provisions of Article 189(2) of	competitive in a fast evolving	
Member States and the European	the Union continues to have	the Treaty. HTo remain	market, it is also crucial that the	
Space Agency, the Commission	modern, efficient and flexible	competitive in a fast evolving	Union continues to have access to	
should consider ways to support	launch infrastructure facilities. In	market, it is also crucial that the	modern, efficient and flexible	
such facilities. In particular,	addition to measures taken by	Union continues to have modern,	launch infrastructure facilities	
where space ground infrastructure	Member States and the European	efficient and flexible launch	and to benefit from appropriate	
necessary to perform launches in	Space Agency, the Commission	infrastructure facilities. In	launch systems. Therefore,	
line with the needs of the	should consider ways to support	addition and to benefit from	without prejudice to measures	
Programme is to be maintained or	such facilities. In particular,	appropriate launch systems.	taken by Member States and the	
upgraded, it should be possible to	where space ground infrastructure	Therefore, without prejudice to	European Space Agency, the	
partially fund such adaptations	necessary to perform launches in	measures taken by Member	Programme might support	
under the Programme, in line with	line with the needs of the	States and the European Space	adaptations to the space ground	
the Financial Regulation and where	Programme is to be maintained or	Agency, the Commission should	infrastructure, including new	
a clear EU value added can be	upgraded, it should be possible to	consider ways to Programme	developments, which are	
established, with the view of	partially fund such adaptations	might support such facilities. In	necessary for the implementation	
achieving a better cost efficiency	under the Programme, in line	particular, where adaptations to	of the Programme and	
for the Programme.	with the Financial Regulation and	<u>the</u> space ground infrastructure,	adaptations, including technology	
	where a clear EU value added can	including new developments,	development, to space launch	
	be established, with the view of	which are necessary to perform	systems which are necessary for	
	achieving a better cost efficiency	launches in line with the needsfor	launching satellites, including	
	for the Programme.	the implementation of the	alternative technologies and	
		Programme is and adaptations,	innovative systems, for the	
		including technology	implementation of the	
		development, to space launch	Programme's components. Those	
		systems which are necessary for	activities should_be implemented	
		launching satellites for the	in accordance with the Financial	
		implementation of the	Regulation, and with the view of	
		Programme's components.	achieving a better cost efficiency	
		Those activities should be	for the Programme. In view that	
		maintained or upgraded, it should	there is no dedicated budget, the	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		be possible to partially fund such	actions in support of access to	
		adaptations under the	space would be without prejudice	
		Programme, in lineimplemented	to the implementation of the	
		<u>in accordance</u> with the Financial	Programme components.	
		Regulation and where a clear EU		
		value added can be established,		
		and with the view of achieving a		
		better cost efficiency for the		
(5) T	1350 #	Programme.		1.6
(5) To strengthen the	AMD 7	(5) To strengthen the	(5) T	16
competitiveness of the Union	(5) To strengthen the	competitiveness of the Union	(5) To strengthen the	
space industry and gain capacities	competitiveness of the Union	space industry and gain capacities	competitiveness of the Union	
in designing, building and	space industry and gain capacities	in designing, building and	space industry and gain capacities	
operating its own systems, the	in designing, building and	operating its own systems, the	in designing, building and	
Union should support the	operating its own systems, the	Union should support the	operating its own systems, the	
creation, growth, and	Union should support the	creation, growth, and	Union should support the	
development of the entire space	creation, growth, and	development of the entire space	creation, growth, and	
industry. The emergence of a	development of the entire space	industry. The emergence of a	development of the entire space	
business- and innovation-friendly	industry. The emergence of a	business- and innovation-friendly	industry. The emergence of a	
model should be supported at	business- and innovation-friendly	model should be supported at	business- and innovation-friendly	
European, regional and national	model should be supported at	European, regional and national	model should be supported at	
levels by establishing space hubs	European, regional and national	levels by establishing space hubs	European, regional and national	
that bring together the space,	levels by <i>initiatives such as</i> space	that bring together the space,	levels by initiatives such as space	
digital and user sectors. The Union should foster the	hubs that bring together the	digital and user other sectors, as	hubs that bring together the	
	space, digital and user sectors.	well as users. The Union should	space, digital and other sectors, as	
expansion of Union-based space	Space hubs should work in	foster the expansion of Union-	well as users. Those space hubs should aim to foster	
companies to help them succeed,	cooperation with the digital	based space companies to help them succeed, including by	entrepreneurship and skills while	
including by supporting them in accessing risk finance in view of	innovation hubs to foster entrepreneurship and skills. The	supporting them in accessing risk	pursuing synergies with the	
the lack, within the Union, of	Union should foster the <i>creation</i>	finance in view of the lack,		
the fack, within the Union, of	Omon should foster the <i>creation</i>	illiance in view of the fack,	digital innovation hubs. The	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
appropriate access to private equity for space start-ups and by creating innovation partnerships (first contract approach).	and expansion of Union-based space companies to help them succeed, including by supporting them in accessing risk finance in view of the lack, within the Union, of appropriate access to private equity for space start-ups and by creating innovation partnerships (first contract approach).	within the Union, of appropriate access to private equity for space start-ups and by ereating innovation partnerships fostering demand (first contract approach).	Union should foster the creation and expansion of Union-based space companies to help them succeed, including by supporting them in accessing risk finance in view of the lack, within the Union, of appropriate access to private equity for space start-ups and by fostering demand (first contract approach). (5xx) The space value chain is generally segmented as: i) upstream, comprising activities leading to an operational space system, including development, manufacturing and launch activities and the operations of such system; and ii) downstream, covering the provision of space-related services, and products to the final users. Digital platforms are also an important element supporting the development of the space sector, allowing access to data and products as well as toolboxes, storage and computing facilities.	16x

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		(5x) In the area of space, the	(5x) In the area of space, the	16a
		<u>Union exercises its competences</u>	Union exercises its competences	
		in accordance with article 4(3)	in accordance with article 4(3)	
		TFEU.	TFEU. The Commission should	
			ensure the coherence of activities	
			performed in the context of the	
			programme.	
		(5a) Whereas a number of	(5a) Whereas a number of	16b
		Member States have a tradition	Member States have a tradition of	
		of active space related	active space related industries,	
		industries, the need to develop	the need to develop and mature	
		and mature space industries in	space industries in Member	
		Member States with emerging	States with emerging capabilities	
		capabilities and the need to	and the need to respond to the	
		respond to the challenges to the	challenges to the traditional space	
		traditional space industries	industries posed by "New Space"	
		posed by "New Space" should	should be recognised. Actions to	
		be recognised. Actions to	develop space industry capacity	
		develop space industry capacity	across the Union and facilitate	
		across the Union and facilitate	collaboration across space	
		collaboration across space	industry active in all Member	
		industry active in all Member	States should be promoted.	
		States should be promoted.		1.0
			(5b) Actions under the	16c
			Programme should build on and	
			benefit from existing national and	
			European capacities (i.e.	
			capacities which exist at the time	
			the action is being carried out).	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(6) Owing to its coverage and its	AMD 8	(6) Owing to its coverage and its	(6) Owing to its coverage and its	17
potential to help resolve global	(6) Owing to its coverage and	potential to help resolve global	potential to help resolve global	
challenges, the space programme	its potential to help resolve global	challenges, the space programme	challenges, space activities have a	
of the Union ('Programme') has a	challenges, the space programme	of the Union ('Programme')	strong international dimension. In	
strong international dimension.	of the Union ('Programme') has a	hasspace activities have a strong	close coordination with the	
The Commission should therefore	strong international dimension.	international dimension. The	Member States, and with their	
be enabled to manage, on behalf	The Commission should therefore	Commissionrelevant EU actors	agreement, the relevant bodies of	
of the Union, and coordinate	be enabled to manage, on behalf	should therefore be enabled to	the EU Space Programme might	
activities on the international	of the Union, and coordinate	manage, on behalf of the Union,	participate in matters pertaining	
scene on behalf of the Union, in	activities on the international	and international cooperation	to the Space Programme, in	
particular to defend the interests	scene on behalf of the Union, in	and represent the Union in the	international cooperation and to	
of the Union and its Member	particular to defend the interests	relevant sectoral UN bodies,	collaborate in relevant sectoral	
States in international fora,	of the Union and its Member	including the Committee on the	UN bodies. For matters relating	
including in the area of	States in international fora,	Peaceful Uses of Outer Space	to the Space Programme of the	
frequencies, to promote the	including in the area of	(COPUOS), the Food and	Union ("Programme"), the	
Union's technology and industry,	frequencies. The Commission	Agriculture Organisation, and	Commission might coordinate, on	
and to encourage cooperation in	should strengthen economic	the World Meteorological	behalf of the Union and in its	
the field of training, bearing in	<i>diplomacy</i> to promote the Union's	Organisation. For matters	field of competence, activities on	
mind the need to ensure the	technology and industry, and to	relating to the Space	the international scene, in	
reciprocity of the rights and	encourage cooperation in the	Programme of the Union	particular to defend the interests	
obligations of the parties. It is	field of training, bearing in mind	("Programme"), the	of the Union and its Member	
particularly important that the	the need to ensure the reciprocity	Commission should coordinate,	States in international fora,	
Union be represented by the	of the rights and obligations of	on behalf of the Union and in	including in the area of	
Commission in the bodies of the	the parties <i>and fair competition</i>	its field of competence activities	frequencies as regards the	
International Cospas-Sarsat	at international level. It is	on the international scene-on	Programme, without prejudice to	
Programme or in relevant sectoral	particularly important that the	behalf of the Union , in particular	Member States competence in	
UN bodies including the Food	Union be represented by the	to defend the interests of the	this area. It is particularly	
and Agriculture Organisation, as	Commission in the bodies of the	Union and its Member States in	important that the Union,	
well as the World Meteorological	International Cospas-Sarsat	international fora, including in	represented by the Commission,	
Organisation.	Programme or in relevant sectoral	the area of frequencies <u>as</u>	collaborates in the bodies of the	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
	UN bodies including the Food	regards the Programme,	International Cospas-Sarsat	
	and Agriculture Organisation, as	without prejudice to Member	Programme.	
	well as the World Meteorological	States competence in this area,		
	Organisation.	to promote the Union's		
		technology and industry,		
		fostering a fair competition at		
		international level and to		
		encourage cooperation in the		
		field of training, bearing in mind		
		the need to ensure the reciprocity		
		of the rights and obligations of		
		the parties. It is particularly		
		important that the Union be		
		represented by the Commission		
		in the bodies of the International		
		Cospas-Sarsat Programme-or in		
		relevant sectoral UN bodies		
		including the Food and		
		Agriculture Organisation, as well		
		as the World Meteorological		
		Organisation.		
		(6a) International cooperation	(6a) International cooperation is	17a
		is paramount and is a key	paramount to promote the role of	
		element of the Space Strategy	the Union as a global actor in the	
		for Europe. The Commission	space sector and the Union's	
		will use the EU space	technology and industry,	
		programme to contribute to	fostering a fair competition at	
		and benefit from international	international level, bearing in	
		efforts through initiatives, to	mind the need to ensure the	
		support European industry	reciprocity of the rights and	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		internationally (for example bi-	obligations of the parties, and to	
		lateral dialogues, industry	encourage cooperation in the	
		workshops, support for SME	field of training. International	
		internationalisation), and to	cooperation is a key element of	
		facilitate access to international	the Space Strategy for Europe.	
		markets, also leveraging	The Commission will use the EU	
		economic diplomacy initiatives.	space programme to contribute to	
		European space diplomacy	and benefit from international	
		initiatives should be in full	efforts through initiatives, to	
		coherence and	promote European technology	
		complementarity with the	and industry internationally (for	
		existing EU policies, priorities	example bi-lateral dialogues,	
		and instruments, while, the	industry workshops, support for	
		Union has a key role to play	SME internationalisation), and to	
		together with the Union	facilitate access to international	
		Member States to remain at the	markets and foster fair	
		forefront of the international	competition, also leveraging	
		scene.	economic diplomacy initiatives.	
			European space diplomacy	
			initiatives should be in full	
			coherence and complementarity	
			with the existing EU policies,	
			priorities and instruments, while,	
			the Union has a key role to play	
			together with the Union Member	
			States to remain at the forefront	
			of the international scene.	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(7) The Commission should promote, alongside the Member States and the High	AMD 9 (7) The Commission should promote, alongside the Member	(7) The Commission should promote, alongside the Member States and the High	(7) Without prejudice to the competence of Member States, the Commission should promote,	18
Representative, responsible behaviour in space and outer	States and the High Representative, responsible	Representative and in close cooperation with Member	alongside the High Representative and in close	
space and explore the possibility for accession to the relevant UN	behaviour in space and outer space, <i>in particular in finding</i>	States, responsible behaviour in space and outer space and when	coordination with Member States, responsible behaviour in space	
Conventions.	solutions against the space debris proliferation and explore	implementing the programme, explore the possibility for	when implementing the programme, including to reduce	
	the possibility for accession to the relevant UN Conventions,	accession of the European Union to the relevant UN	space debris proliferation and explore the possibility for	
	including the Treaty on Principles Governing the	Treaties and Conventions and make, if necessary, appropriate	accession of the European Union to the relevant UN Treaties and	
	Activities of States in the	proposals, without prejudice to	Conventions and make, if	
	Exploration and Use of Outer Space, including the Moon and	the competence of Member States.	necessary, appropriate proposals.	
	Other Celestial Bodies (the Outer Space Treaty			
(8) The Programme shares	AMD 10	(8) The Programme shares	Clerical error: alignment to	19
similar objectives with other	(8) The Programme shares	similar objectives with other	article 22 (8) The Programme shares	
Union programmes, notably Horizon Europe, InvestEU Fund,	similar objectives with other Union programmes, notably	Union programmes, notably Horizon Europe, InvestEU Fund,	similar objectives with other	
European Defence Fund and	Horizon Europe, InvestEU Fund,	European Defence Fund and	Union programmes, notably	
Funds under Regulation (EU)	European Defence Fund and	Funds under Regulation (EU)	Horizon Europe, InvestEU Fund,	
[Common Provisions	Funds under Regulation (EU)	[Common Provisions	European Defence Fund and	
Regulation]. Therefore,	[Common Provisions	Regulation]. [Therefore,	Funds under Regulation (EU)	
cumulative funding from those	Regulation]. Therefore,	cumulative funding from those	[Common Provisions	
programmes should be foreseen,	cumulative funding from those	programmes should be foreseen,	Regulation]. Therefore,	

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
provided they do cover the same	programmes should be foreseen,	provided they do not cover the	cumulative funding from those	
cost items, in particular through	provided they do cover the same	same cost items ¹ , in particular	programmes should be foreseen,	
arrangements for complementary	costs, in particular through	through arrangements for	provided they do not cover the	
funding from Union programmes	arrangements for complementary	complementary funding from	same cost items ² , in particular	
where management modalities	funding from Union programmes	Union programmes where	through arrangements for	
permit - either in sequence, in an	where management modalities	management modalities permit -	complementary funding from	
alternating way, or through the	permit - either in sequence, in an	either in sequence, in an	Union programmes where	
combination of funds including	alternating way, or through the	alternating way, or through the	management modalities permit -	
for the joint funding of actions,	combination of funds including	combination of funds including	either in sequence, in an	
allowing, where possible,	for the joint funding of actions,	for the joint funding of actions,	alternating way, or through the	
innovation partnerships and	allowing, where possible,	allowing, where possible,	combination of funds including	
blending operations. During the	innovation partnerships and	innovation partnerships and	for the joint funding of actions,	
implementation of the	blending operations. During the	blending operations.] During the	allowing, where possible,	
Programme, the Commission	implementation of the	implementation of the	innovation partnerships and	
should therefore promote	Programme, the Commission	Programme, the Commission	blending operations. During the	
synergies with other related	should therefore promote	should therefore promote	implementation of the	
Union programmes which would	synergies with other related	synergies with other related	Programme, the Commission	
allow, where possible, use of	Union programmes which would	Union programmes which would	should therefore promote	
access to risk finance, innovation	allow, where possible, use of	allow, where possible, use of	synergies with other related	
partnerships, cumulative or	access to risk finance, innovation	access to risk finance, innovation	Union programmes and financial	
blended funding.	partnerships, cumulative or	partnerships, cumulative or	instruments, which would allow,	
_	blended funding. It is important	blended funding.	where possible, use of access to	
	to ensure continuity between the		risk finance, innovation	
	solutions developed through		partnerships, cumulative or	
	Horizon Europe and other		blended funding. It should also	
	Union programmes and the		ensure synergies and coherence	
	components of the Programme		between the solutions developed	

¹ It is suggested to add the following wording after the word "items": "and that such funding does not distort market competition".

It is suggested to add the following wording after the word "items": "and that such funding does not distort market competition".

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
			under those programmes, notably Horizon Europe, and the solutions developed under the	
			Space Programme. (8a) In accordance with Article 191(3) of the Financial Regulation, in no circumstances are the same costs to be financed twice by the Union budget, for example by both Horizon Europe and the Space Programme.	19a
(9) The policy objectives of this Programme will also be addressed as eligible areas for financing and investment operations through financial instruments and budgetary guarantee of the InvestEU Fund, in particular under its sustainable infrastructure and research, innovation and digitisation policy windows. Financial support should be used to address market failures or sub-optimal investment situations, in a proportionate manner and actions should not duplicate or crowd out private financing or distort competition in the internal market. Actions should have a		(9) The policy objectives of this Programme will also be addressed as eligible areas for financing and investment operations through financial instruments and budgetary guarantee of the InvestEU Fund, in particular under its sustainable infrastructure and research, innovation and digitisation policy windows. Financial support should be used to address market failures or sub-optimal investment situations, in a proportionate manner and actions should not duplicate or crowd out private financing or distort competition in the internal market. Actions should have a	(9) The policy objectives of this Programme will also be addressed as eligible areas for financing and investment operations through financial instruments and budgetary guarantee of the InvestEU Fund, in particular under its sustainable infrastructure and research, innovation and digitisation policy windows. Financial support should be used to address market failures or sub-optimal investment situations, in a proportionate manner and actions should not duplicate or crowd out private financing or distort competition in the internal market. Actions should have a	20

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
clear European added value.		clear European added value.	clear European added value.	

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
0) Coherence and synergies		(10) Coherence and synergies	(10) Coherence and synergies	21
between Horizon Europe and the		between Horizon Europe and the	between Horizon Europe and the	
Programme will foster a		Programme will foster a	Programme will foster a	
competitive and innovative		competitive and innovative	competitive and innovative	
European space sector; reinforce		European space sector; reinforce	European space sector; reinforce	
Europe's autonomy in accessing		Europe's autonomy in accessing	Europe's autonomy in accessing	
and using space in a secure and		and using space in a secure and	and using space in a secure and	
safe environment; and strengthen		safe environment; and strengthen	safe environment; and strengthen	
Europe's role as a global actor.		Europe's role as a global actor.	Europe's role as a global actor.	
Breakthrough solutions in		Breakthrough solutions in	Breakthrough solutions in	
Horizon Europe will be supported		Horizon Europe will be supported	Horizon Europe will be supported	
by data and services made		by data and services made	by data and services made	
available by the Programme to		available by the Programme to	available by the Programme to	
the research and innovation		the research and innovation	the research and innovation	
community.		community.	community.	
		(10a) To maximise the socio-	(10a) To maximise the socio-	21a
		economic return from the	economic return from the	
		Programme, it is essential that	Programme, it is essential to	
		systems are upgraded to meet	maintain state-of-the-art systems,	
		evolving users' needs and that	to upgrade them to meet evolving	
		new developments occur in the	users' needs and that new	
		space-enabled applications	developments occur in the space-	
		sector. The Union should	enabled downstream applications	
		support activities relating to	sector. The Union should support	
		research and technology	activities relating to research and	
		development, or the early	technology development, or the	
		phases of evolution relating to	early phases of evolution relating	
		the infrastructures established	to the infrastructures established	
		under the Programme, as well	under the Programme, as well as	
		as the research and	the research and development	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		development activities relating	activities relating to applications	
		to applications and services	and services based on the systems	
		based on the systems	established under the programme,	
		established under the	thereby stimulating upstream and	
		programme. The appropriate	downstream economic activities.	
		instrument at Union level to	The appropriate instrument at	
		finance those research and	Union level to finance those	
		innovation activities is Horizon	research and innovation activities	
		Europe established by	is Horizon Europe established by	
		Regulation (EU) No	Regulation (EU) No	
		XXX/XXXX. Ensuring	XXX/XXXX. However, a very	
		synergies and coherence	specific part of development	
		between the two programmes	activities should be financed from	
		will therefore be crucial.	the budget allocated to the Galileo	
			and EGNOS components under this	
			Regulation, notably where such	
			activities concern fundamental	
			elements such as Galileo-enabled	
			chipsets and receivers, which will	
			facilitate the development of	
			applications across different sectors	
			of the economy. Such financing	
			should nevertheless not jeopardise	
			the deployment or exploitation of the	
			infrastructures established under the	
			Programmes.	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
	AMD 11 (10 a) Around 200 000 professionals are employed in the Union space sector. Therefore, it is essential to continue developing the state-of- the-art infrastructure of that sector and thereby stimulate upstream and downstream economic activities. In addition, to ensure the competitiveness of the European space industry in the future, the Programme should support the development of advanced skills in space- related fields and support education and training activities, with a special focus on girls and women, in order to realise the full potential of Union citizens in that area.		To ensure the competitiveness of the European space industry in the future, the Programme should support the development of advanced skills in space-related fields and support education and training activities, promoting equal opportunities, including gender equality, in order to realise the full potential of Union citizens in that area.	21b

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(86) Infrastructure dedicated to	AMD 48	(10b) (86) Infrastructure	(10b) Infrastructure dedicated to	21c
the Programme may require	(86) Infrastructure dedicated to	dedicated to the Programme may	the Programme may require	
additional research and	the Programme may require	require additional research and	additional research and	
innovation, which may be	additional research and	innovation, which may be	innovation, which may be	
supported under Horizon Europe,	innovation, which may be	supported under Horizon Europe,	supported under Horizon Europe,	
aiming for coherence with	supported under Horizon Europe,	aiming for coherence with	aiming for coherence with	
activities in this domain by the	aiming for coherence with	activities in this domain by the	activities in this domain by the	
European Space Agency.	activities in this domain by the	European Space Agency.	European Space Agency.	
Synergies with Horizon Europe	European Space Agency.	Synergies with Horizon Europe	Synergies with Horizon Europe	
should ensure that research and	Synergies with Horizon Europe	should ensure that research and	should ensure that research and	
innovation needs of the space	should ensure that research and	innovation needs of the space	innovation needs of the space	
sector are identified and	innovation needs of the space	sector are identified and	sector are identified and	
established as part of the strategic	sector are identified and	established as part of the strategic	established as part of the strategic	
research and innovation planning	established as part of the strategic	research and innovation planning	research and innovation planning	
process. Space data and services	research and innovation planning	process. Space data and services	process. Space data and services	
made freely available by the	process. It is important to assure	made freely available by the	made freely available by the	
Programme will be used to	continuity between the solutions	Programme will be used to	Programme will be used to	
develop breakthrough solutions	developed through Horizon	develop breakthrough solutions	develop breakthrough solutions	
through research and innovation,	Europe and the operations of	through research and innovation,	through research and innovation,	
including in Horizon Europe, in	the components of the	including in Horizon Europe, in	including in Horizon Europe, in	
particular for sustainable food	Programme. Space data and	particular for sustainable food	support to the Union policy	
and natural resources, climate	services made freely available by	and natural resources, climate	priorities. The strategic planning	
monitoring, smart cities,	the Programme will be used to	monitoring, smart cities,	process under Horizon Europe	
automated vehicles, security and	develop breakthrough solutions	automated vehicles, security and	will identify research and	
disaster management. The	through research and innovation,	disaster management. The	innovation activities that should	
strategic planning process under	including in Horizon Europe, on	strategic planning process under	make use of Union-owned	
Horizon Europe will identify	the main European policies. The	Horizon Europe will identify	infrastructures such as Galileo,	
research and innovation activities	strategic planning process under	research and innovation activities	EGNOS and Copernicus.	
that should make use of Union-	Horizon Europe will identify	that should make use of Union-	Research infrastructures, in	
owned infrastructures such as	research and innovation activities	owned infrastructures such as	particular in situ observing	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
Galileo, EGNOS and Copernicus. Research infrastructures, in particular in situ observing networks will constitute essential elements of the in situ observation infrastructure enabling the Copernicus services.	that should make use of Union- owned infrastructures such as Galileo, EGNOS and Copernicus. Research infrastructures, in particular in situ observing networks will constitute essential elements of the in situ observation infrastructure enabling the Copernicus services.	Galileo, EGNOS and Copernicus. Research infrastructures, in particular in situ observing networks will constitute essential elements of the in situ observation infrastructure enabling the Copernicus services.	networks will constitute essential elements of the in situ observation infrastructure enabling the Copernicus Services.	
(11) It is important that the Union own all tangible and intangible assets created or developed through public procurement that it finances as part of its space programme. In order to ensure full compliance with any fundamental rights relating to ownership, the necessary arrangements should be made with any existing owners. Such ownership by the Union should be without prejudice to the possibility for the Union, in accordance with this Regulation and where it is deemed appropriate on the basis of a case-by-case assessment, to make those assets available to third		(11) It is important that the Union own all tangible and intangible assets created or developed through public procurement that it finances as part of its space programme. In order to ensure full compliance with any fundamental rights relating to ownership, the necessary arrangements should be made with any existing owners. Such ownership by the Union should be without prejudice to the possibility for the Union, in accordance with this Regulation and where it is deemed appropriate on the basis of a case-by-case assessment, to make those assets available to third	(11) It is important that the Union own all tangible and intangible assets created or developed through public procurement that it finances as part of its space programme. In order to ensure full compliance with any fundamental rights relating to ownership, the necessary arrangements should be made with any existing owners. Such ownership by the Union should be without prejudice to the possibility for the Union, in accordance with this Regulation and where it is deemed appropriate on the basis of a case-by-case assessment, to make those assets available to third	22

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		(11a) (92)To encourage the widest possible use of the services offered by the Programme, it would be useful to stress that data, information and services are provided without guaranteewarranty without prejudice to obligations imposed by legally binding provisions.	(11a) To encourage the widest possible use of the services offered by the Programme, it would be useful to stress that data, information and services are provided without warranty without prejudice to obligations imposed by legally binding provisions.	22a
		(11b) (93) It should be confirmed that the The Commission, in performing certain of its tasks of a non-regulatory nature, may have recourse, as required and insofar as necessary, to the technical assistance of certain external parties ³ . Other entities involved in the public governance of the Programme may also make use of the same technical assistance in performing tasks entrusted to them under this Regulation.	(11b) The Commission, in performing certain of its tasks of a non-regulatory nature, may have recourse, as required and insofar as necessary, to the technical assistance of certain external parties ⁴ . Other entities involved in the public governance of the Programme may also make use of the same technical assistance in performing tasks entrusted to them under this Regulation.	22b

It is suggested to add here the following sentence: "To the extent possible in conformity with international law, those external parties should be located.....". To be aligned with Article 25.

It is suggested to add here the following sentence: "To the extent possible in conformity with international law, those external parties should be located.....". To be aligned with Article 25.

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(12) This Regulation lays down a		(12) This Regulation lays down a	(12) This Regulation lays down a	23
financial envelope for the		financial envelope for the	financial envelope for the	23
Programme which is to constitute		Programme which is to constitute	Programme which is to constitute	
\mathcal{C}				
the prime reference amount,		the prime reference amount,	the prime reference amount,	
within the meaning of point 17 of		within the meaning of point 17 of	within the meaning of point 17 of	
the Interinstitutional Agreement		the Interinstitutional Agreement	the Interinstitutional Agreement	
of 2 December 2013 between the		of 2 December 2013 between the	of 2 December 2013 between the	
European Parliament, the Council		European Parliament, the Council	European Parliament, the Council	
and the Commission on		and the Commission on	and the Commission on	
budgetary discipline, on		budgetary discipline, on	budgetary discipline, on	
cooperation in budgetary matters		cooperation in budgetary matters	cooperation in budgetary matters	
and on sound financial		and on sound financial	and on sound financial	
management, for the European		management, for the European	management, for the European	
Parliament and the Council		Parliament and the Council	Parliament and the Council	
during the annual budgetary		during the annual budgetary	during the annual budgetary	
procedure.		procedure.	procedure.	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(13) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Programme will contribute to mainstream climate actions and to the achievement of an overall target of 25 % of the EU budget expenditures supporting climate objectives. Relevant actions will be identified during the Programme's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes.	(13) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Programme will contribute to mainstream climate actions and to the achievement of an overall target of [25 at least 30] % of the EU budget expenditures supporting climate objectives. Relevant actions will be identified during the Programme's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes. The European Parliament, the Commission and the Council will cooperate on an effective, transparent and comprehensive methodology, to be set out by the Commission, in order to assess the spending under the MFF to biodiversity objectives.	(13) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Programme will contribute to mainstream climate actions and to the achievement of an overall target of [2530] % of the EU budget expenditures supporting climate objectives. Relevant actions will be identified during the Programme's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes.	(13) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Programme will contribute to mainstream climate actions and to the achievement of an overall target of at least 30 % of the EU budget expenditures supporting climate objectives. Relevant actions will be identified during the Programme's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes. The European Parliament, the Commission and the Council will cooperate on an effective, transparent and comprehensive methodology, to be set out by the Commission, in order to assess the spending under all MFF programmes to biodiversity objectives while considering the existing overlaps between climate and biodiversity goals.	24

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
	AMD 12 (13a) The Programme should exploit the synergies between the space and transport sectors, taking into consideration that space technologies play a strategic role in making land, maritime, air and space transport smarter, more efficient, safer, more secure, sustainable and integrated and at the same time a growing, innovative transport sector will increase the request of innovative and up-to-date space technologies.		EP OK to withdraw	24a
(14) Any revenue generated by the Programme should accrue to the Union in order to partially offset the investments that it has already made, and that revenue should be used to support the objectives of the Programme. For the same reason, it should be possible to provide for a revenue-sharing mechanism in contracts concluded with private sector entities.	AMD 13 (14) Revenue generated by the components of the Programme should accrue to the Union in order to partially offset the investments that it has already made, and that revenue should be used to support the achievement of the objectives of the Programme. For the same reason, it should be possible to provide for a revenue-sharing mechanism in contracts concluded with private sector entities.	(14) Any revenue generated by the Programme should accrue to the Union in order to partially offset the investments that it has already made, and that revenue should be used to support the objectives of the Programme. For the same reason, it should be possible to provide for a revenue-sharing mechanism in contracts concluded with private sector entities.	(14) Revenue generated by the components of the Programme should accrue to the Union in order to partially offset the investments that it has already made, and that revenue should be used to support the achievement of the objectives of the Programme. For the same reason, it should be possible to provide for a revenue-sharing mechanism in contracts concluded with private sector entities.	25

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(15) As the Programme is, in principle, financed by the Union, procurement contracts concluded under this programme should comply with Union rules. In that context, the Union should also be responsible for defining the		(15) As the Programme is, in principle, financed by the Union, procurement contracts concluded under this programme for activities financed by the Programme should comply with Union rules. In that context, the	(15) As the Programme is, in principle, financed by the Union, procurement contracts concluded under this programme for activities financed by the Programme should comply with Union rules. In that context, the	
objectives to be pursued as regards public procurement.		Union should also be responsible for defining the objectives to be pursued as regards public procurement. It is to be noted that the Financial Regulation provides that, on the basis of	Union should also be responsible for defining the objectives to be pursued as regards public procurement. It is to be noted that the Financial Regulation provides that, on the basis of the results of	
		the results of an ex ante assessment, the Commission may rely on the systems and the procedures of the persons or entities implementing Union funds. Specific adjustments	an ex ante assessment, the Commission may rely on the systems and the procedures of the persons or entities implementing Union funds. Specific adjustments necessary to these	
		necessary to these systems and procedures, as well as the arrangements for the prolongation of the existing contracts, should be defined in	systems and procedures, as well as the arrangements for the prolongation of the existing contracts, should be defined in the corresponding financial	
		the corresponding financial framework partnership agreement or contribution agreement.	framework partnership agreement or contribution agreement.	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(16) The Programme relies on	AMD 14	(16) The Programme relies on	(16) The Programme relies on	27
complex and constantly changing	(16) The Programme relies on	complex and constantly changing	complex and constantly changing	
technologies. The reliance on	complex and constantly changing	technologies. The reliance on	technologies. The reliance on	
such technologies results in	technologies. The reliance on	such technologies results in	such technologies results in	
uncertainty and risk for public	such technologies results in	uncertainty and risk for public	uncertainty and risk for public	
contracts concluded under this	uncertainty and risk for public	contracts concluded under this	contracts concluded under this	
programme, insofar as those	contracts concluded under this	programme, insofar as those	programme, insofar as those	
contracts involve long-term	programme, insofar as those	contracts involve long-term	contracts involve long-term	
commitments to equipment or	contracts involve long-term	commitments to equipment or	commitments to equipment or	
services. Specific measures	commitments to equipment or	services. Specific measures	services. Specific measures	
concerning public contracts are	services. Specific measures	concerning public contracts are	concerning public contracts are	
therefore required in addition to	concerning public contracts are	therefore required in addition to	therefore required in addition to	
the rules laid down in the	therefore required in addition to	the rules laid down in the	the rules laid down in the	
Financial Regulation. It should	the rules laid down in the	Financial Regulation. It should	Financial Regulation. It should	
thus be possible to award a	Financial Regulation. It should	thus be possible to award a	thus be possible to award a	
contract in the form of a	thus be possible to award a	contract in the form of a	contract in the form of a	
conditional stage-payment	contract in the form of a	conditional stage-payment	conditional stage-payment	
contract, introduce an	conditional stage-payment	contract, introduce an	contract, introduce an	
amendment, under certain	contract, introduce an	amendment, under certain	amendment, under certain	
conditions, in the context of its	amendment, under certain	conditions, in the context of its	conditions, in the context of its	
performance, or impose a	conditions, in the context of its	performance, or impose a	performance, or impose a	
minimum level of subcontracting.	performance, or impose a	minimum level of subcontracting.	minimum level of subcontracting,	
Lastly, given the technological	minimum level of subcontracting,	Lastly, given the technological	notably in order to enable the	
uncertainties that characterise the	in particular to small and	uncertainties that characterise the	participation of small and	
components of the Programme,	medium-sized enterprises and	components of the Programme,	medium-sized enterprises and	
contract prices cannot always be	start-ups. Lastly, given the	contract prices cannot always be	start-ups. Lastly, given the	
forecast accurately and it should	technological uncertainties that	forecast accurately and it should	technological uncertainties that	
therefore be possible to conclude	characterise the components of	therefore be possible to conclude	characterise the components of	
contracts without stipulating a	the Programme, contract prices	contracts without stipulating a	the Programme, contract prices	
firm fixed price and to include	cannot always be forecast	firm fixed price and to include	cannot always be forecast	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
clauses to safeguard the financial interests of the Union.	accurately and it should therefore be possible to conclude contracts without stipulating a firm fixed price and to include clauses to safeguard the financial interests of the Union.	clauses to safeguard the financial interests of the Union.	accurately and it should therefore be possible to conclude contracts without stipulating a firm fixed price and to include clauses to safeguard the financial interests of the Union.	
			(16a) To foster public demand and public sector innovation, the Programme should promote the use of data, information and services of the Programme to support the development of customised solutions by industry and SMEs at local and regional levels through space-related innovation partnerships, as referred to in point 7 of Annex 1 of the Financial Regulation, allowing to cover all stages from development up to deployment and procurement of customised interoperable space solutions for public services.	27a

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
(17) In order to meet the		(17) In order to meet the	(17) In order to meet the	28
objectives of the Programme, it is		objectives of the Programme, it is	objectives of the Programme, it is	
important to be able to call,		important to be able to call,	important to be able to call,	
where appropriate, on capacities		where appropriate, on capacities	where appropriate, on capacities	
offered by Union public and		offered by Union public and	offered by Union public and	
private entities active in the space		private entities active in the space	private entities active in the space	
domain and also to be able to		domain and also to be able to	domain and also to be able to	
work at international level with		work at international level with	work at international level with	
third countries or international		third countries or international	third countries or international	
organisations. For that reason,		organisations. For that reason,	organisations. For that reason,	
provision must be made for the		provision must be made for the	provision must be made for the	
possibility of using all the		possibility of using all the	possibility of using all the	
relevant tools provided for by the		relevant tools and management	relevant tools and management	
Financial Regulation (in		methods provided for by the	methods provided for by the	
particular grants, prizes and		Treaty and the Financial	Treaty and the Financial	
financial instruments), various		Regulation (in particular grants,	Regulation and joint procurement	
management methods (such as		prizes and financial instruments),	procedures.	
direct and indirect management,		various management methods		
public-private partnerships and		(such as direct and indirect		
joint undertakings) and joint		management, public-private		
procurement procedures.		partnerships and joint		
		undertakings) and joint		
		procurement procedures.		

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(18) On grants more specifically,		(18) On grants more specifically,	(18) On grants more specifically,	29
experience has shown that user		experience has shown that user	experience has shown that user	_,
and market uptake and general		and market uptake and general	and market uptake and general	
outreach work better in a		outreach work better in a	outreach work better in a	
decentralized manner than top-		decentralized manner than top-	decentralized manner than top-	
down by the Commission.		down by the Commission.	down by the Commission.	
Vouchers, which are a form of		Vouchers, which are a form of	Vouchers, which are a form of	
financial support from a grant		financial support from a grant	financial support from a grant	
beneficiary to third parties, have		beneficiary to third parties, have	beneficiary to third parties, have	
been among the actions with the		been among the actions with the	been among the actions with the	
highest success rate to new		highest success rate to new	highest success rate to new	
entrants and small and medium-		entrants and small and medium-	entrants and small and medium-	
sized enterprises. However, they		sized enterprises. However, they	sized enterprises. However, they	
have been hindered by the ceiling		have been hindered by the ceiling	have been hindered by the ceiling	
on financial support imposed by		on financial support imposed by	on financial support imposed by	
the Financial Regulation. This		the Financial Regulation. This	the Financial Regulation. This	
ceiling should therefore be raised		ceiling should therefore be raised	ceiling should therefore be raised	
for the EU Space Programme in		for the EU Space Programme in	for the EU Space Programme in	
order to keep pace with the		order to keep pace with the	order to keep pace with the	
growing potential of market		growing potential of market	growing potential of market	
applications in the space sector.		applications in the space sector.	applications in the space sector.	

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18) (19) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in [Article 125(1)] of the Financial Regulation.		(19) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in [Article 125(1)] of the Financial Regulation.	(19) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in [Article 125(1)] of the Financial Regulation.	N° 30
(20) Regulation (EU, Euratom) No [the new FR] (the 'Financial Regulation') applies to this Programme. It lays down rules on the implementation of the Union budget, including the rules on grants, prizes, procurement, indirect implementation, financial assistance, financial instruments and budgetary guarantees.		(20) Regulation (EU, Euratom) No [the new FR] (the 'Financial Regulation') applies to this Programme. It lays down rules on the implementation of the Union budget, including the rules on grants, prizes, procurement, indirect implementation, financial assistance, financial instruments and budgetary guarantees.	(20) Regulation (EU, Euratom) No [the new FR] (the 'Financial Regulation') applies to this Programme. It lays down rules on the implementation of the Union budget, including the rules on grants, prizes, procurement, indirect implementation, financial assistance, financial instruments and budgetary guarantees.	31

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
(21) Pursuant to [reference to be		(21) Pursuant to [reference to be	(21) Pursuant to [reference to be	32
updated as appropriate according		updated as appropriate according	updated as appropriate according	
to a new decision on OCTs:		to a new decision on OCTs:	to a new decision on OCTs:	
Article 88 of Council Decision		Article 88 of Council Decision	Article 88 of Council Decision	
//EU], persons and entities		//EU], persons and entities	//EU], persons and entities	
established in overseas countries		established in overseas countries	established in overseas countries	
and territories (OCTs) should be		and territories (OCTs) should be	and territories (OCTs) should be	
eligible for funding subject to the		eligible for funding subject to the	eligible for funding subject to the	
rules and objectives of the		rules and objectives of the	rules and objectives of the	
Programme and possible		Programme and possible	Programme and possible	
arrangements applicable to the		arrangements applicable to the	arrangements applicable to the	
Member State to which the		Member State to which the	Member State to which the	
relevant overseas country or		relevant overseas country or	relevant overseas country or	
territory is linked.		territory is linked.	territory is linked.	
(22) Horizontal financial rules		(22) Horizontal financial rules	(22) Horizontal financial rules	33
adopted by the European		adopted by the European	adopted by the European	
Parliament and the Council on the		Parliament and the Council on the	Parliament and the Council on the	
basis of Article 322 of the Treaty		basis of Article 322 of the Treaty	basis of Article 322 of the Treaty	
on the Functioning of the		on the Functioning of the	on the Functioning of the	
European Union apply to this		European Union apply to this	European Union apply to this	
Regulation. These rules are laid		Regulation. These rules are laid	Regulation. These rules are laid	
down in the Financial Regulation		down in the Financial Regulation	down in the Financial Regulation	
and determine in particular the		and determine in particular the	and determine in particular the	
procedure for establishing and		procedure for establishing and	procedure for establishing and	
implementing the budget through		implementing the budget through	implementing the budget through	
grants, procurement, prizes,		grants, procurement, prizes,	grants, procurement, prizes,	
indirect implementation, and		indirect implementation, and	indirect implementation, and	
provide for checks on the		provide for checks on the	provide for checks on the	
responsibility of financial actors.		responsibility of financial actors.	responsibility of financial actors.	
Rules adopted on the basis of		Rules adopted on the basis of	Rules adopted on the basis of	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective EU funding.		Article 322 TFEU also concern other conditionalities to protect the budget. include a general regime of conditionality for the protection of the Union budget.	Article 322 TFEU also include a general regime of conditionality for the protection of the Union budget.	
(23) In accordance with the Financial Regulation, Council Regulation (EC, Euratom) No 2988/95, ⁵ Council Regulation (Euratom, EC) No 2185/96 ⁶ and Council Regulation (EU) 2017/1939 ⁷ , the financial		(23) In accordance with Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council ⁹ (the "Financial Regulation;"), Council Regulation (EC, Euratom, EC) No-2988/95; ¹⁰ ,	(23) In accordance with Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council ¹⁴ (the "Financial Regulation"), Council Regulation (Euratom, EC) No 2988/95 ¹⁵ , Council	34

Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p.1).

Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities, (OJ L 292, 15.11.1996, p. 2–5).

Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO'), (OJ L283, 31.10.2017, p. 1-71).

Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p.1).

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
interests of the Union are to be		Council Regulation (Euratom,	Regulation (Euratom, EC)	
protected through proportionate		EC) No-2185/96 ¹¹ and Council	No 2185/96 ¹⁶ , the financial	
measures, including the		Regulation (EU) 2017/1939, the	interests of the Union are to be	
prevention, detection, correction		financial interests of the Union	protected through proportionate	
and investigation of irregularities		are to be protected through	measures, including the	
and fraud, the recovery of funds		proportionate measures, including	prevention, detection, correction	
lost, wrongly paid or incorrectly		the prevention, detection,	and investigation of irregularities	
used and, where appropriate, the		correction and investigation of	and fraud, the recovery of funds	
imposition of administrative		irregularities and fraud, the	lost, wrongly paid or incorrectly	
sanctions. In particular, in		recovery of funds lost, wrongly	used and, where appropriate, the	
accordance with Regulation (EU,		paid or incorrectly used and,	imposition of administrative	
Euratom) No 883/2013 and		where appropriate, the imposition	sanctions. In particular, in	
Regulation (Euratom, EC) No		of administrative sanctions. In	accordance with Regulation (EU,	
2185/96, the European Anti-		particular, in accordance with	Euratom) No 883/2013 ¹⁷ and	
Fraud Office (OLAF) may carry		Regulation (EU, Euratom) No	Regulation (Euratom, EC)	
out administrative investigations,		883/2013 ¹² and Regulation	No 2185/96, the European Anti-	

Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p.1).

Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities, (OJ L 292, 15.11.1996, p. 2–5).

Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999, (OJ L 248, 18.9.2013, p. 1)

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
including on-the-spot checks and		(Euratom, EC) No 2185/96, the	Fraud Office (OLAF) may carry	
inspections, with a view to		European Anti-Fraud Office	out administrative investigations,	
establishing whether there has		(OLAF) may carry out	including on-the-spot checks and	
been fraud, corruption or any		administrative investigations,	inspections, with a view to	
other illegal activity affecting the		including on-the-spot checks and	establishing whether there has	
financial interests of the Union.		inspections, with a view to	been fraud, corruption or any	
In accordance with Regulation		establishing whether there has	other illegal activity affecting the	
(EU) 2017/1939, the European		been fraud, corruption or any	financial interests of the Union.	
Public Prosecutor's Office		other illegal activity affecting the	In accordance with Regulation	
(EPPO) may investigate and		financial interests of the Union.	(EU) 2017/1939, the European	
prosecute fraud and other		In accordance with Regulation	Public Prosecutor's Office ("the	
criminal offences affecting the		(EU) 2017/1939, the European	EPPO") may investigate and	
financial interests of the Union as		Public Prosecutor's Office (<u>"the</u>	prosecute fraud and other	
provided for in Directive (EU)		EPPO") may investigate and	criminal offences affecting the	
2017/1371 of the European		prosecute fraud and other	financial interests of the Union as	
Parliament and of the Council ⁸ .		criminal offences affecting the	provided for in Directive (EU)	
In accordance with the Financial		financial interests of the Union as	2017/1371 of the European	
Regulation, any person or entity		provided for in Directive (EU)	Parliament and of the Council ¹⁸ .	

Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities, (OJ L 292, 15.11.1996, p. 2–5).

Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999, (OJ L 248, 18.9.2013, p. 1)

Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
receiving Union funds is to fully cooperate in the protection of the Union's financial interests, to grant the necessary rights and access to the Commission, OLAF, the EPPO and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights.		2017/1371 of the European Parliament and of the Council ¹³ . In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the Union's Union's financial interests, to grant the necessary rights and access to the Commission, OLAF, the EPPO and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights.	In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the Union's financial interests, to grant the necessary rights and access to the Commission, OLAF, the EPPO and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights ¹⁹ .	
(24) Third countries which are members of the European Economic Area (EEA) may participate in Union programmes in the framework of the cooperation established under the EEA agreement, which provides for the implementation of the		(24) Third countries European Free Trade Association (EFTA) members which are members of the EEA, acceding countries, candidate countries and potential candidates as well as countries covered by the European Neighbourhood	(24)	35

Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

Provisions on the protection of the Union's financial interests (Recitals 23 and 24 and Article 26) also been adapted to be in line with the horizontal guidance (doc. 5146/19).

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
programmes by a decision under		Policy may participate in Union		
that agreement. Third countries		the space programmes with the		
may also participate on the basis		exception of Galileo, EGNOS,		
of other legal instruments. A		GOVSATCOM and SST subject		
specific provision should be		to in accordance with their		
introduced in this Regulation to		respective framework agreements		
grant the necessary rights for and		in the framework of the		
access to the authorizing officer		cooperation established under the		
responsible, the European Anti-		EEA agreement, which provides		
Fraud Office (OLAF) as well as		for the implementation of the		
the European Court of Auditors		programmes by a decision under		
to comprehensively exert their		that agreement. Other Tthird		
respective competences.		countries may also participate <u>in</u>		
		the Programme with the		
		exception of Galileo, EGNOS,		
		GOVSATCOM and SST on the		
		basis of other legal instruments		
		an agreement to be concluded		
		in accordance with Article 218		
		TFEU. Galileo and EGNOS		
		should be open to the		
		participation of the European		
		Free Trade Association (EFTA)		
		members which are members		
		of the European Economic		
		Area (EEA), in accordance with		
		the conditions laid down in the		
		EEA Agreement. For Galileo		
		and EGNOS, other third		
		countries may participate in the		

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(doc. 9898/18)		Programme on the basis of an agreement to be concluded in accordance with Article 218 TFEU. GOVSATCOM should be open to any third country only on the basis of an agreement to be concluded in accordance with Article 218 TFEU.		No
		(24aa) A specific provision should be introduced in this Regulation to grant the necessary rights for and access to the authorizing officer responsible, the European Anti-Fraud Office (OLAF) OLAF, as well as the European Court of Auditors to comprehensively exert their respective competences.	(24aa) A specific provision should be introduced in this Regulation to grant the necessary rights for and access to the authorizing officer responsible, OLAF, as well as the European Court of Auditors to comprehensively exert their respective competences ²⁰ .	35a
		(24a) International organisations which do not have their headquarters in the Union should require an agreement concluded under Article 218 TFEU to ensure that they have access to SST	(24a) International organisations which do not have their headquarters in the Union should require an agreement concluded under Article 218 TFEU to ensure that they have access to SST services which are not	35b

Provisions on the protection of the Union's financial interests (Recitals 23 and 24 and Article 26) also been adapted to be in line with the horizontal guidance (doc. 5146/19).

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		services which are not publicly	publicly available. International	
		available. International	organisations which have their	
		organisations which have their	headquarters in the Union and are	
		headquarters in the Union and	public spacecraft owners and	
		are public spacecraft owners	operators should be considered	
		and operators should be	SST core users.	
		considered SST core users.		
		(24b) Publicly available	(24b) Publicly available	35c
		information for SST services	information for SST services	
		should mean any information	should mean any information that	
		that a user has a reasonable	a user has a reasonable basis for	
		basis for finding lawfully	finding lawfully accessible.	
		accessible. Collision avoidance,	Collision avoidance, re-entry and	
		re-entry and fragmentation	fragmentation SST services are	
		SST services are based on	based on external-publicly	
		external-publicly accessible SST	accessible SST information	
		information which is available	which is available after a request	
		after a request for access.	for access. Consequently,	
		Consequently, collision	collision avoidance, re-entry and	
		avoidance, re-entry and	fragmentation SST services	
		fragmentation SST services	should be understood as publicly	
		should be understood as	available services and should not	
		publicly available services and	require an agreement under	
		should not require an	Article 218 TFEU. Access to	
		agreement under Article 218	them should be available through	
		TFEU. Access to them should	a request from the potential users.	
		be available through a request		
		from the potential users.		

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(25) Sound public governance of the Programme requires the strict distribution of responsibilities and tasks among the different entities involved to avoid duplication and reduce cost overruns and delays.	AMD 15 (25) Sound public governance of the Programme requires the strict distribution of responsibilities and tasks among the different entities involved to avoid duplication and reduce cost overruns and delays, and should aim to prioritise the use of existing European infrastructure and developing the European professional and industrial sectors.	(25) Sound public governance of the Programme requires the strict <u>clear</u> distribution of responsibilities and tasks among the different entities involved to avoid <u>duplication</u> <u>overlap</u> and reduce cost overruns and delays.	(25) Sound public governance of the Programme requires the clear distribution of responsibilities and tasks among the different entities involved to avoid unnecessary overlap and reduce cost overruns and delays. All the actors of the governance should support, in their field of competence and in accordance with their responsibilities, the achievement of objectives of the Programme.	36
	AMD 16 (25a) The Space Programmes are user-driven and therefore require the continuous, effective involvement of users' representatives for their implementation and development		EP OK to withdraw	36a
(26) Member States have long been active in the field of space. They have systems, infrastructure, national agencies and bodies linked to space. They can therefore make a big contribution the Programme, especially its implementation, and should be required to	AMD 17 (26) Member States have long been active in the field of space. They have systems, infrastructure, national agencies and bodies linked to space. They can therefore make a big contribution to the Programme, especially to its implementation,	(26) Member States have long been active in the field of space. They have systems, infrastructure, national agencies and bodies linked to space. They can therefore make a big contribution to the Programme, especially its implementation, and should be required to. They	(26) Member States have long been active in the field of space. They have systems, infrastructure, national agencies and bodies linked to space. They can therefore make a big contribution to the Programme, especially its implementation. They might cooperate with the	37

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
cooperate fully with the Union to	and should be required to	might cooperate fully with the	Union to promote the	
promote the Programme's	cooperate fully with the Union to	Union to promote the	Programme's services and	
services and applications. The	promote the Programme's	Programme's services and	applications. The Commission	
Commission should be able to	services and applications. The	applications. The Commission	might be able to mobilise the	
mobilise the means at Member	Commission should be able to	should might be able to mobilise	means at Member States'	
States' disposal, might entrust the	mobilise the means at Member	the means at Member States'	disposal, benefit from their	
Member States with non-	States' disposal, might entrust the	disposal, might benefit from	assistance and, subject to	
regulatory tasks in the execution	Member States with non-	their assistance and, subject to	mutually agreed conditions,	
of the Programme and benefit	regulatory tasks in the execution	mutually agreed conditions,	entrust the Member States with	
from their assistance. Moreover,	of the Programme and benefit	entrust the Member States with	non-regulatory tasks in the	
the Member States concerned	from their assistance. Moreover,	non-regulatory tasks in the	execution of the Programme.	
should take all necessary	the Member States concerned	execution of the Programme and	Moreover, the Member States	
measures to ensure the protection	should take all necessary	benefit from their assistance.	concerned should take all	
of the ground stations established	measures to ensure the protection	Moreover, the Member States	necessary measures to ensure the	
on their territories. In addition,	of the ground stations established	concerned should take all	protection of the ground stations	
Member States and the	on their territories. In addition,	necessary measures to ensure the	established on their territories. In	
Commission should work	Member States and the	protection of the ground stations	addition, Member States and the	
together and with appropriate	Commission should work	established on their territories. In	Commission should work	
international bodies and	together and with appropriate	addition, Member States and the	together and with appropriate	
regulatory authorities to ensure	international bodies and	Commission should work	international bodies and	
that the frequencies necessary for	regulatory authorities to ensure	together and with appropriate	regulatory authorities to ensure	
the Programme are available and	that the frequencies necessary for	international bodies and	that the frequencies necessary for	
protected to allow for the full	the Programme are available and	regulatory authorities to ensure	the Programme are available and	
development and implementation	have adequate protection to	that the frequencies necessary for	protected at the adequate level to	
of applications based on the	allow for the full development	the Programme are available and	allow for the full development	
services offered, in compliance	and implementation of	protected at the adequate level	and implementation of	
with Decision No 243/2012/EU	applications based on the services	to allow for the full development	applications based on the services	
of the European Parliament and	offered, in compliance with	and implementation of	offered, in compliance with	
of the Council of 14 March 2012	Decision No 243/2012/EU of the	applications based on the services	Decision No 243/2012/EU of the	
establishing a multiannual radio	European Parliament and of the	offered, in compliance with	European Parliament and of the	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
spectrum policy programme ²¹ .	Council of 14 March 2012 establishing a multiannual radio spectrum policy programme ¹⁵ ———— 15 Decision No 243/2012/EU of the European Parliament and of the Council of 14 March 2012 establishing a multiannual radio spectrum policy programme (OJ L 81, 21.3.2012, p. 7).	Decision No 243/2012/EU of the European Parliament and of the Council of 14 March 2012 establishing a multiannual radio spectrum policy programme ²² .	Council of 14 March 2012 establishing a multiannual radio spectrum policy programme ²³ .	
		(26a) In exceptional circumstances, the Agency might entrust specific tasks to Member States or group of Member States. That entrustment should be limited to activities the Agency is not in the capacity to execute itself and should not prejudice the governance of the Programme and the allocation of tasks as defined in this Regulation.	(26a) In certain duly justified circumstances, the Agency might entrust specific tasks to Member States or group of Member States. That entrustment should be limited to activities the Agency is not in the capacity to execute itself and should not prejudice the governance of the Programme and the allocation of tasks as defined in this Regulation.	37a

_

Decision No 243/2012/EU of the European Parliament and of the Council of 14 March 2012 establishing a multiannual radio spectrum policy programme (OJ L 81, 21.3.2012, p. 7).

Decision No 243/2012/EU of the European Parliament and of the Council of 14 March 2012 establishing a multiannual radio spectrum policy programme (OJ L 81, 21.3.2012, p. 7).

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(27) As promoter of the Union's	AMD 18	(27) As promoter of the Union's	Institutional issues	38
general interest, it falls to the	$\overline{(27)}$ As promoter of the Union's	general interest, it falls to is the	(delegated/implementing acts)	
Commission to implement the	general interest, it falls to the	Commission's responsibility to		
Programme, assume overall	Commission to <i>supervise the</i>	implement the Programme,		
responsibility and promote their	implementation of the	assume overall responsibility and		
use. In order to optimise the	Programme, assume overall	promote their its use. In order to		
resources and competences of the	responsibility and promote their	optimise the resources and		
various stakeholders, the	use. In order to optimise the	competences of the various		
Commission should be able to	resources and competences of the	stakeholders, the Commission		
delegate certain tasks. Moreover	various stakeholders, the	should be able to delegateentrust		
the Commission is the best placed	Commission should be able to	certain tasks. Moreover to other		
to determine the main technical	delegate certain tasks. Moreover	entities under justifiable		
and operational specifications	the Commission is the best placed	circumstances. Having the		
necessary to implement systems	to determine the main	overall responsibility for the		
and services evolution.	requirements necessary to	Programme , the Commission is		
	implement systems and services	the best placed to should		
	evolution.	determine the main technical and		
		operational		
		specifications requirements		
		necessary to implement systems		
		and services evolution. It should		
		do so after having consulted		
		Member States experts, users		
		and other relevant		
		stakeholders. Finally, noting		
		that in the area of space, in		
		accordance with Article 4(3)		
		TFEU, the exercise of		
		competence by the Union does		
		not result in Member States		

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
		being prevented from		
		exercising theirs, the		
		Commission should ensure the		
		coherence of activities		
		performed in the context of the		
		programme.		
(28) The mission of the European	<u>AMD 19</u>	(28) The mission of the European	(28) The mission of the European	39
Union Agency for the Space	(28) The mission of the	Union Agency for the Space	Union Agency for the Space	
Programme ("the Agency"),	European Union Agency for the	Programme ("the Agency"),	Programme ("the Agency"),	
which replaces and succeeds the	Space Programme ("the	which replaces and succeeds the	which replaces and succeeds the	
European GNSS Agency	Agency"), which replaces and	European GNSS Agency	European GNSS Agency	
established by Regulation (EU)	succeeds the European GNSS	established by Regulation (EU)	established by Regulation (EU)	
No 912/2010, is to contribute to	Agency established by	No 912/2010, is to contribute to	No 912/2010, is to contribute to	
the Programme, particularly as	Regulation (EU) No 912/2010, is	the Programme, particularly as	the Programme, particularly as	
regards security. Certain tasks	to contribute to the Programme,	regards security- <u>accreditation</u>	regards security-accreditation as	
linked to the security and	particularly as regards security,	and market development.	well as market and downstream	
promotion of the Programme	cybersecurity and promotion of	Certain tasks linked to the	applications development.	
should therefore be assigned to	the services and the downstream	security and promotion of the	Certain tasks linked to those areas	
the Agency. In relation to	sector. Tasks linked to those	Programme should therefore be	should therefore be assigned to	
security in particular, and given	<i>areas</i> should therefore be	assigned to the Agency. In	the Agency. In relation to	
its experience in this area, the	assigned to the Agency. In	relation to security in particular,	security in particular, and given	
Agency should be responsible for	relation to security in particular,	and given its experience in this	its experience in this area, the	
the security accreditation tasks	and given its experience in this	area, the Agency should be	Agency should be responsible for	
for all the Union actions in the	area, the Agency should be	responsible for the security	the security accreditation tasks	
space sector. Furthermore, it	responsible for the security	accreditation tasks for all the	for all the Union actions in the	
should perform the tasks which	accreditation tasks for all the	Union actions in the space sector.	space sector. Building on its	
the Commission confers on it by	Union actions in the space sector.	Furthermore, it should perform	positive track-record in	
means of one or more	Building on its positive track	the tasks which the Commission	promoting the user and market	
contribution agreements covering	record in promoting the user and	confers on it by means of one or	uptake of Galileo and EGNOS,	
various other specific tasks	market uptake of Galileo and	more contribution agreements	the Agency should also be	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
associated with the programme.	EGNOS and with a view to	under a financial framework	entrusted with user uptake	
	promoting the programmes as a	partnership agreement covering	activities relating to the	
	package, the Agency should also	various other specific tasks	Programme's components other	
	be entrusted with undertaking	associated with the programme.	than Galileo and EGNOS, as well	
	promotional and		as downstream application	
	commercialisation activities for		development activities for all the	
	Copernicus. Furthermore, it		Programme's components. This	
	should perform the tasks which		would allow taking benefit of	
	the Commission confers on it by		economies of scale and providing	
	means of one or more		an opportunity for the	
	contribution agreements covering		development of applications	
	various other specific tasks		based on several Programme's	
	associated with the programme.		components (integrated	
			applications) Those activities	
			should however not prejudice_the	
			service and user uptake activities	
			entrusted by the Commission to	
			Copernicus entrusted entities.	
			The entrustment of downstream	
			applications development to the	
			Agency does not prevent other	
			entrusted entities to develop	
			downstream applications.	
			Furthermore, it should perform	
			the tasks which the Commission	
			confers on it by means of one or	
			more contribution agreements	
			under a financial framework	
			partnership agreement covering	
			other specific tasks associated	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
			with the programme. When	
			entrusting tasks to the Agency,	
			adequate human, administrative	
			and financial resources should be	
			made available.	
		(28a) Galileo and EGNOS are	(28a) Galileo and EGNOS are	39a
		complex systems that require	complex systems that require	
		intensive coordination.	intensive coordination.	
		Considering that Galileo and	Considering that Galileo and	
		EGNOS are Union components,	EGNOS are Union components,	
		that coordination should be	that coordination should be	
		performed by a Union	performed by a Union institution	
		institution or a Union body.	or a Union body. Building on the	
		Building on the expertise	expertise developed in the past	
		developed in the past years, the	years, the Agency is the most	
		Agency is the most appropriate	appropriate body to coordinate all	
		body to coordinate all the	the operational tasks relating to	
		operational tasks relating to the	the exploitation of those systems,	
		exploitation of those systems.	except for the international	
		The Agency should therefore be	cooperation. The Agency should	
		entrusted with the management	therefore be entrusted with the	
		of the exploitation of EGNOS	management of the exploitation	
		and Galileo. Nevertheless, this	of EGNOS and Galileo.	
		does not mean that the Agency	Nevertheless, this does not mean	
		should perform alone all the	that the Agency should perform	
		tasks relating to the	alone all the tasks relating to the	
		exploitation of the systems. It	exploitation of the systems. It	
		has to rely on the expertise of	could rely on the expertise of	
		other entities, including the	other entities, in particular the	
		European Space Agency. The	European Space Agency. This	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		allocation of tasks to other	should include the activities on	
		entities builds on the	systems evolution, design and	
		competence of such entities and	development of parts of the	
		should avoid duplication of	ground segment and satellites	
		work.	which should be entrusted to the	
			European Space Agency. The	
			allocation of tasks to other	
			entities builds on the competence	
			of such entities and should avoid	
			duplication of work.	
(29) The European Space Agency	AMD 20	(29) The European Space Agency	(29) The European Space Agency	40
is an international organisation	(29) The European Space	is an international organisation	is an international organisation	
with extensive expertise in the	Agency is an international	with extensive expertise in the	with extensive expertise in the	
space domain and which entered	organisation with extensive	space domain and which entered	space domain and which entered	
into a Framework Agreement	expertise in the space domain and	into a Framework Agreement	into a Framework Agreement	
with the European Community in	which entered into a Framework	with the European Community in	with the European Community in	
2004. It is therefore an important	Agreement with the European	2004. It is therefore an important	2004. It is therefore an important	
partner in the implementation of	Community in 2004. It is	partner in the implementation of	partner in the implementation of	
the Programme, with which any	therefore an important partner in	the Programme, with which any	the Programme, with which any	
appropriate relations should be	the implementation of the	appropriate relations should be	appropriate relations should be	
established. In this regard, and in	Programme, with which any	established. In this regard, and in	established. In this regard, and in	
compliance with the Financial	appropriate relations should be	compliance with the Financial	compliance with the Financial	
Regulation, it is important to	established. In this regard, and in	Regulation, it is important to the	Regulation, the Commission	
conclude a financial framework	compliance with the Financial	Commission should conclude a	should conclude a financial	
partnership agreement with the	Regulation, it is important to	financial framework partnership	framework partnership agreement	
European Space Agency that	conclude a financial framework	agreement with the European	with the European Space Agency	
governs all financial relations	partnership agreement with the	Space Agency and the Agency	and the Agency that governs all	
between the Commission, the	European Space Agency that	that governs all financial relations	financial relations between the	
Agency and the European Space	governs all financial relations	between the Commission, the	Commission, the Agency and the	
Agency and ensures their	between the Commission, the	Agency and the European Space	European Space Agency and	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
consistency and conform to the	Agency and the European Space	Agency and ensures their	ensures their consistency and	
Framework Agreement with the	Agency and ensures their	consistency and conform to the	conform to the Framework	
European Space Agency, in	consistency and conform to the	Framework Agreement	Agreement concluded between	
particular with Article 5 thereof.	Framework Agreement with the	with concluded between the	the European Community and the	
However, as the European Space	European Space Agency, in	European Community and the	European Space Agency, in	
Agency is not a Union body and	particular with Article 5 thereof.	European Space Agency, in	particular with Articles 2 and 5	
is not subject to Union law, it is	As the European Space Agency is	particular with Article Articles 2	thereof. However, as the	
essential, in order to protect the	not a Union body and is not	and 5 thereof. However, as the	European Space Agency is not a	
interests of the Union and its	subject to Union law, it is	European Space Agency is not a	Union body and is not subject to	
Member States, that such an	essential that such an agreement	Union body and is not subject to	Union law, it is essential provides	
agreement be conditional on the	contains adequate requirements	Union law, it is essential, in order	that the European Space Agency	
introduction of appropriate	regarding operating rules at the	to protect the interests of the	takes appropriate measures to	
operating rules in the European	European Space Agency in order	Union and its Member States,	ensures the protection of the	
Space Agency. The agreement	to protect the interests of the	that such an agreement be	interests of the Union and its	
should also contain all the clauses	Union and its Member States.	conditional on the introduction of	Member States and as regards	
necessary to safeguard the	The agreement should also	appropriate operating rules in the	budget implementation, tasks	
Union's financial interests.	contain all the clauses necessary	European Space	entrusted to it complies with the	
	to safeguard the Union's financial	Agency.provides that the	decisions taken by the	
	interests.	European Space Agency takes	Commission. The agreement	
		appropriate measures to	should also contain all the clauses	
		ensures the protection of the	necessary to safeguard the	
		interests of the Union and as	Union's financial interests.	
		regards budget implementation		
		tasks entrusted to it complies		
		with the decisions taken by the		
		Commission. The agreement		
		should also contain all the clauses		
		necessary to safeguard the		
		Union's financial interests.		

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
(30) The functioning of SATCEN		(30) The functioning of SATCEN	(30) The functioning of SATCEN	41
as a European autonomous		as a European autonomous	as a European autonomous	
capability providing products and		capability providing access to	capability providing access to	
services resulting from		information and services resulting	information and services resulting	
exploitation of relevant space		from exploitation of relevant	from exploitation of relevant	
assets and collateral data,		space assets and collateral data,	space assets and collateral	
including satellite and aerial		including satellite and aerial	data was already acknowledged	
imagery, is essential for		imagery, and acting as a front-	in the implementation of	
strengthening the Common		desk for SST services pursuant	Decision 541/2014/EU.	
Foreign Security Policy. In that		to was already acknowledged in		
sense SATCEN will be		the implementation of Decision		
maximising synergies and		541/2014/EU. , is essential for		
complementarities with other		strengthening the Common		
Union activities especially the		Foreign Security Policy. In that		
Programme and its components.		sense SATCEN will be		
		maximising synergies and		
		complementarities with other		
		Union activities especially the		
		Programme and its components.		

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(31) To structurally embed the	AMD 21	(31) To structurally embed the	(31) To structurally embed the	42
user representation in the	(31) To structurally embed the	user representation in the	user representation in the	72
governance of GOVSATCOM	user representation in the	governance of GOVSATCOM	governance of GOVSATCOM	
and to aggregate user needs and	governance of GOVSATCOM	and to aggregate user needs and	and to aggregate user needs and	
requirements across national and	and to aggregate user needs and	requirements across national and	requirements across national and	
civil-military boundaries, the	requirements across national	civil-military boundaries, the	civil-military boundaries, the	
relevant Union entities with close	boundaries, the relevant Union	relevant Union entities with close	relevant Union entities with close	
user-ties, such as the European	entities with close user-ties, such	user-ties, such as the European	user-ties, such as the European	
Defence Agency, the European	as the European Border and Coast	Defence Agency, the European	Defence Agency, the European	
Border and Coast Guard Agency,	Guard Agency, the European	Border and Coast Guard Agency,	Border and Coast Guard Agency,	
the European Maritime Safety	Maritime Safety Agency, the	the European Maritime Safety	the European Maritime Safety	
Agency, the European Fisheries	European Fisheries Control	Agency, the European Fisheries	Agency, the European Fisheries	
Control Agency, the European	Agency, the European Union	Control Agency, the European	Control Agency, the European	
Union Agency for Law	Agency for Law Enforcement	Union Agency for Law	Union Agency for Law	
Enforcement Cooperation, the	Cooperation, the Civilian	Enforcement Cooperation, the	Enforcement Cooperation, the	
Military Planning and Conduct	Planning and Conduct Capability	Military Planning and Conduct	Military Planning and Conduct	
Capability/Civilian Planning and	and the Emergency Response	Capability/Civilian Planning and	Capability/Civilian Planning and	
Conduct Capability and the	Coordination Centre should have	Conduct Capability and the	Conduct Capability and the	
Emergency Response	coordinating roles for specific	Emergency Response	Emergency Response	
Coordination Centre should have	user groups. At an aggregated	Coordination Centre should may	Coordination Centre may have	
coordinating roles for specific	level the Agency should represent	have coordinating roles for	coordinating roles for specific	
user groups. At an aggregated	the user <i>community</i> and may	specific user groups. At an	user groups. At an aggregated	
level the Agency and the	monitor operational use, demand,	aggregated level the Agency and	level the Agency should	
European Defence Agency	conformance to requirements and	the European Defence Agency	coordinate user-related aspects	
should respectively represent the	evolving needs and requirements.	should respectively represent	for the civilian user communities	
civilian and military user		coordinate user-related aspects	and may monitor operational use,	
communities and may monitor		<u>for</u> the civilian and military user	demand, conformance to	
operational use, demand,		communities <u>respectively</u> and	requirements and evolving needs	
conformance to requirements and		may monitor operational use,	and requirements	
evolving needs and requirements.		demand, conformance to		

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		requirements and evolving needs and requirements.		
(32) Owing to the importance of space-related activities for the Union economy and the lives of Union citizens, the dual-use nature of the systems and of the applications based on those systems, achieving and maintaining a high degree of security should be a key priority for the Programme, particularly in order to safeguard the interests of the Union and of its Member States, including in relation to classified and other sensitive non-classified information.		(32) Owing to the importance of space-related activities for the Union economy and the lives of Union citizens, the dual-use nature of the systems and of the applications based on those systems, achieving and maintaining a high degree of security should be a key priority for the Programme, particularly in order to safeguard the interests of the Union and of its Member States, including in relation to classified and other sensitive non-classified information.	(32) Owing to the importance of space-related activities for the Union economy and the lives of Union citizens, the dual-use nature of the systems and of the applications based on those systems, achieving and maintaining a high degree of security should be a key priority for the Programme, particularly in order to safeguard the interests of the Union and of its Member States, including in relation to classified and other sensitive non-classified information.	43

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(33) The Commission and the High Representative, each within their respective area of competence, should ensure the		(33) Without prejudice to Member States' prerogatives in the area of national security, the Commission and the High	(33) Without prejudice to Member States' prerogatives in the area of national security, the Commission and the High	44
security of the Programme in accordance with this Regulation and, where relevant, Council Decision 2014/496/CFSP.		Representative, each within their respective area of competence, should ensure the security of the Programme in accordance with this Regulation and, where relevant, Council Decision	Representative, each within their respective area of competence, should ensure the security of the Programme in accordance with this Regulation and, where relevant, Council Decision	
		2014/496201X/xxx/CFSP.24. (33a) Given the specific expertise of EEAS and its regular contact with administrations of third countries and international organisations, the EEAS may assist the Commission in performing certain of its tasks relating to the security of the Programme in the field of external relations, in accordance with Council Decision 2010/427/EU.	201X/xxx/CFSP. ²⁵ (33a) Given the specific expertise of EEAS and its regular contact with administrations of third countries and international organisations, the EEAS may assist the Commission in performing certain of its tasks relating to the security of the Programme in the field of external relations, in accordance with Council Decision 2010/427/EU.	44a

This Council Decision will result from the High Representative proposal extendign the scope of Council Decision 2014/496/CFSP of 22 July 2014 currently under negotiation.

This Council Decision will result from the High Representative proposal extendign the scope of Council Decision 2014/496/CFSP of 22 July 2014 currently under negotiation.

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
(34) The governance of the		(34) Without prejudice to the	(34) Without prejudice to the sole	45
security of the Programme should		sole responsibility of the	responsibility of the Member	
be based on three key principles.		Member States in the area of	States in the area of national	
Firstly, it is imperative that		national security, as provided	security, as provided for in	
Member States' extensive, unique		for in Article 4(2) TEU, and to	Article 4(2) TEU, and to the right	
experience in security matters be		the right of the Member States	of the Member States to protect	
taken into consideration to the		to protect their essential	their essential security interests in	
greatest possible extend.		security interests in accordance	accordance with Article 346	
Secondly, in order to prevent		with Article 346 TFEU, a	TFEU, a specific governance of	
conflicts of interest and any		specific governance of security	security should be established to	
shortcomings in applying security		should be established to ensure	ensure a smooth implementation	
rules, operational functions must		a smooth implementation of the	of the Programme. That	
be segregated from security		Programme. the That	governance should be based on	
accreditation functions. Thirdly,		governance of the security of the	three key principles. Firstly, it is	
the entity in charge of managing		Programme should be based on	imperative that Member States'	
all or part of the components of		three key principles. Firstly, it is	extensive, unique experience in	
the Programme is also the best		imperative that Member States'	security matters be taken into	
placed to manage the security of		extensive, unique experience in	consideration to the greatest	
the tasks entrusted to it. Sound		security matters be taken into	possible extent. Secondly, in	
security governance also requires		consideration to the greatest	order to prevent conflicts of	
that roles be appropriately		possible extendextent. Secondly,	interest and any shortcomings in	
distributed among the various		in order to prevent conflicts of	applying security rules,	
players. As it is responsible for		interest and any shortcomings in	operational functions must be	
the Programme, the Commission		applying security rules,	segregated from security	
should determine the general		operational functions must be	accreditation functions. Thirdly,	
security requirements applicable		segregated from security	the entity in charge of managing	
to each of the programme's		accreditation functions. Thirdly,	all or part of the components of	
components.		the entity in charge of managing	the Programme is also the best	
		all or part of the components of	placed to manage the security of	
		the Programme is also the best	the tasks entrusted to it. The	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		placed to manage the security of the tasks entrusted to it. Sound security governance also requires that roles be appropriately distributed among the various players. As it is responsible for the Programme, the Commission, without prejudice to Member States prerogatives in the area	security of the programme will build upon the experience gained in the implementation of Galileo, EGNOS and Copernicus over the past years. Sound security governance also requires that roles be appropriately distributed among the various players. As it is responsible for the Programme,	
		of national security, should determine the general security requirements applicable to each of the programme's components.	the Commission, without prejudice to Member States prerogatives in the area of national security, should determine the general security requirements applicable to each of the programme's components.	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		(34x) The cybersecurity of	(34x) The cybersecurity of	45a
		European space	European space infrastructures,	
		infrastructures, both ground	both ground and space, is key to	
		and space, is key to ensuring	ensuring the continuity of the	
		the continuity of the operations	operations of the systems and	
		of the systems and service	service continuity. The need to	
		continuity. The need to protect	protect the systems and their	
		the systems and their services	services againts cyberattacks,	
		againts cyberattacks, including	including by making use of new	
		by making use of new	technologies, should therefore be	
		technologies, should therefore	duly taken into account when	
		be duly taken into account	establishing security	
		when establishing security	requirements.	
		requirements.		
		(34a) A security monitoring	(34a) A security monitoring	45b
		structure should be identified	structure should be identified by	
		by the Commission when	the Commission when	
		appropriate after the risk and	appropriate after the risk and	
		threat analysis. This security	threat analysis. This security	
		monitoring body should be the	monitoring body should be the	
		entity responding to	entity responding to instructions	
		instructions developed under	developed under the scope of	
		the scope of Decision	Decision 201x/xxx/CFSP. For	
		201x/xxx/CFSP. For Galileo,	Galileo, that body should be the	
		that body should be the Galileo	Galileo Security Monitoring	
		Security Monitoring Centre.	Centre. With regard to the	
			implementation of Decision	
			20xx/xxx/CFSP, the role of the	
			Security Accreditation Board will	
			be limited to providing the	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
			Council and/or the HR with	
			inputs linked to the security	
(25) In view of the unique		(25) In view of the maignesses	accreditation of the system.	46
(35) In view of the uniqueness		(35) In view of the uniqueness	(35) In view of the uniqueness	40
and complexity of the Programme and its link to		and complexity of the Programme and its link to	and complexity of the Programme and its link to	
security, recognised and well		security, recognised and well	security, recognised and well	
established principles should be		established principles should be	established principles should be	
followed for security		followed for security	followed for security	
accreditation. It is thus		accreditation. It is thus	accreditation. It is thus	
indispensable that security		indispensable that security	indispensable that security	
accreditation activities be carried		accreditation activities be carried	accreditation activities be carried	
out on the basis of collective		out on the basis of collective	out on the basis of collective	
responsibility for the security of		responsibility for the security of	responsibility for the security of	
the Union and its Member States,		the Union and its Member States,	the Union and its Member States,	
by endeavouring to build		by endeavouring to build	by endeavouring to build	
consensus and involving all those		consensus and involving all those	consensus and involving all those	
concerned with the issue of		concerned with the issue of	concerned with the issue of	
security, and that a procedure for		security, and that a procedure for	security, and that a procedure for	
permanent risk monitoring be put		permanent risk monitoring be put	permanent risk monitoring be put	
in place. It is also imperative that		in place. It is also imperative that	in place. It is also imperative that	
technical security accreditation		technical security accreditation	technical security accreditation	
activities be entrusted to		activities be entrusted to	activities be entrusted to	
professionals who are duly		professionals who are duly	professionals who are duly	
qualified in the field of		qualified in the field of	qualified in the field of	
accrediting complex systems and		accrediting complex systems and	accrediting complex systems and	
who have an adequate level of		who have an adequate level of	who have an adequate level of	
security clearance.		security clearance.	security clearance.	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
			(35x) EU classified information (EUCI) is to be handled in accordance with the security rules as set out in Commission Decision (EU, Euratom) 2015/444 and Council Decision 2013/488/EU. In accordance with the Council Decision, the Member States are to respect the principles and minimum standards laid down therein, in order to assure that an equivalent level of protection is afforded to EUCI.	46a
(36) To ensure the secure circulation of information, appropriate rules should be established to ensure equivalence of security rules for the different public and private entities, as well as natural persons, involved in the implementation of the Programme.	AMD 22 (36) To ensure the secure circulation of information, appropriate rules should be established to ensure equivalence of security rules for the different public and private entities, as well as natural persons, involved in the implementation of the Programme, with the establishment of several levels of access to information and, implicitly, security of access to information.	(36) To ensure the secure eirculationexchange of information, appropriate rulesagreements should be established to ensure equivalence the protection of security rules for the different public EU classified information provided to third countries and private entities, as well as natural persons, involved international organisations in the implementation context of the Programme.	(36) To ensure the secure exchange of information, appropriate agreements should be established to ensure the protection of EU classified information provided to third countries and international organisations in the context of the Programme.	47

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
	AMD 23 (36a) The cyber security of European space infrastructures, both ground and space, is key to ensuring the continuity of the operations of the systems, and their effective ability to carry out the tasks continuously and to provide the services required.		EP OK to withdraw	47a
(37) One of the main objectives of the Programme consists in ensuring its security and strategic autonomy, strengthening its capacity to act in numerous sectors, in particular security, and taking advantage of the possibilities that space offers for the security of the Union and its Member States. This objective requires strict rules on the eligibility of the entities that may take part in activities financed under the Programme which require access to EU classified information (EUCI) or to sensitive non-classified information.		objectives An important aspect of the Programme consists in ensuring its security and strengthening the strategic autonomy across key technologies and value chains, strengthening its capacity to act in numerous sectors, in particular security, while preserving an open economy including free and fair trade, and taking advantage of the possibilities that space offers for the security of the Union and its Member States. This objective requires strict rules on in specific cases to set the requisite eligibility and participation conditions to ensure the protection of the integrity, security and	(37)	48

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(400, 20, 0, 10)		resilience of the operational		21
		Union systems of the entities that		
		may take part in activities		
		financed under the Programme		
		which require access to EU		
		classified information (EUCI) or		
		to sensitive non-classified		
		information. This should not		
		undermine the necessity of		
		competitiveness and cost-		
		effectiveness. In the evaluation		
		for legal entities subject to		
		control by a third country or		
		third country entity, the		
		Commission should take into		
		account the principles and		
		criteria foreseen in Regulation		
		2019/452 [FDI Regulation].		
		(37a) In the context of the	(37a) In the context of the	48a
		Programme, there is some	Programme, there is some	
		information which, although not	information which, although not	
		classified, is to be handled	classified, is to be handled	
		according to acts already in force or to national laws, rules and	according to acts already in force or to national laws, rules and	
		regulations, including through	regulations, including through	
		distribution limitations.	distribution limitations.	
(38) A growing number of key	AMD 24	(38) A growing number of key	(38) A growing number of key	49
economic sectors, in particular	(38) A growing number of key	economic sectors, in particular	economic sectors, in particular	
transport, telecommunications,	economic sectors, in particular	transport, telecommunications,	transport, telecommunications,	
agriculture and energy,	transport, telecommunications,	agriculture and energy,	agriculture and energy,	
increasingly use satellite	agriculture and energy,	increasingly use satellite	increasingly use satellite	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
navigation systems, not to mention the synergies with activities linked to the security and defence of the Union and its Member States. Having full control of satellite navigation should therefore guarantee the Union's technological independence, including in the longer term for the components of infrastructure equipment, and ensure its strategic autonomy.	increasingly use satellite navigation systems. Satellite navigation also plays a role in the context of the security of the Union and its Member States. Having full control of satellite navigation should therefore guarantee the Union's technological independence, including in the longer term for the components of infrastructure equipment, and ensure its strategic autonomy.	navigation and Earth observation systems, not to mention the synergies with. Synergies between space activities and activities linked to the security and defence of the Union and its Member States are also increasing. Having full control of satellite navigation should therefore guarantee the Union's technological independence, including in the longer term for the components of infrastructure equipment, and ensure its strategic autonomy.	navigation and Earth observation systems. The Programme should exploit the synergies between those sectors, taking into consideration the benefits that space technologies bring to those sectors, support the development of compatible equipment and promote the development of relevant standards and certifications. Synergies between space activities and activities linked to the security and defence of the Union and its Member States are also increasing. Having full control of satellite navigation should therefore guarantee the Union's technological independence, including in the longer term for the components of infrastructure equipment, and ensure its strategic autonomy	
(39) The aim of Galileo is to establish and operate the first global satellite navigation and positioning infrastructure specifically designed for civilian purposes, which can be used by a variety of public and private		(39) The aim of Galileo is to establish and operate the first global satellite navigation and positioning infrastructure specifically designed for civilian purposes, which can be used by a variety of public and private	(39) The aim of Galileo is to establish and operate the first global satellite navigation and positioning infrastructure specifically designed for civilian purposes, which can be used by a variety of public and private	50

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
actors in Europe and worldwide. Galileo functions independently of other existing or potential systems, thus contributing amongst other things to the strategic autonomy of the Union. The second generation of the system should be progressively rolled out before 2030, initially with reduced operational capacity.		actors in Europe and worldwide. Galileo functions independently of other existing or potential systems, thus contributing amongst other things to the strategic autonomy of the Union. The second generation of the system should be progressively rolled out before 2030, initially with reduced operational capacity.	actors in Europe and worldwide. Galileo functions independently of other existing or potential systems, thus contributing amongst other things to the strategic autonomy of the Union. The second generation of the system should be progressively rolled out before 2030, initially with reduced operational capacity.	

(doc. 9898/18)			Row N°
(40) The aim of EGNOS is to improve the quality of open signals from existing global navigation satellite systems, in particular those emitted by the Galileo system. The services provided by EGNOS should cover, as a priority, the Member States' territories geographically located in Europe, including for this purpose the Azores, the Canary Islands and Madeira, with the aim to cover those territories by the end of 2025. Subject to technical feasibility and, for the safety of life, on the basis of international agreements, the geographical coverage of the services provided by EGNOS could be extended to other regions of the world. Without prejudice to Regulation [2018/XXXX] [EASA Regulation] and the necessary monitoring of Galileo service quality for aviation purposes, it should be noted that while the signals emitted by Galileo may effectively be used to facilitate the positioning of aircraft, only	located in Europe, including for this purpose Cyprus, the Azores, the Canary Islands and Madeira, with the aim to cover those territories by the end of 2025. In the aviation domain, all those territories should benefit from EGNOS for air navigation services for the different performance levels supported by EGNOS as APV-I and LPV-200. Subject to technical feasibility and, for the safety of life, on the basis of international agreements, the geographical coverage of the services provided by EGNOS could be extended to other regions of the world. Without prejudice to Regulation f(EU)	(40) The aim of EGNOS is to improve the quality of open signals from existing global navigation satellite systems, in particular those emitted by the Galileo system. The services provided by EGNOS should cover, as a priority, the Member States' territories geographically located in Europe, including for this purpose Cyprus, the Azores, the Canary Islands and Madeira, by the end of 2026. In the aviation domain, all those territories should benefit from EGNOS for air navigation services for all the performance levels supported by EGNOS. Subject to technical feasibility and, for the safety of life, on the basis of international agreements, the geographical coverage of the services provided by EGNOS could be extended to other regions of the world. Without prejudice to Regulation (EU) 2018/1139 and the necessary monitoring of Galileo service quality for aviation purposes, it should be noted that while the signals emitted by	N° 51

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
local or regional augmentation systems such as EGNOS in Europe may constitute air-traffic management (ATM) services and air navigation services (ANS).	Galileo may effectively be used to facilitate the positioning of aircraft, only local or regional augmentation systems such as EGNOS in Europe may constitute air-traffic management (ATM) services and air navigation services (ANS). Ta Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1)	service quality for aviation purposes, it should be noted that while the signals emitted by Galileo may effectively be used to facilitate the positioning of aircraft, in all phase of flight, through the necessary augmentation system (local, regional, on board avionics) only local or regional augmentation systems such as EGNOS in Europe may constitute air-traffic management (ATM) services and air navigation services (ANS). The EGNOS safety-of-life service should be provided in compliance with applicable ICAO standards.	to facilitate the positioning of aircraft, in all phase of flight, through the necessary augmentation system (local, regional, on board avionics) only local or regional augmentation systems such as EGNOS in Europe may constitute air-traffic management (ATM) services and air navigation services (ANS). The EGNOS safety-of-life service should be provided in compliance with applicable ICAO standards.	TV

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
	AMD 26 (40a) EGNOS can assist precision agriculture and help European farmers to eliminate waste, decrease over-application of fertilisers and herbicides, and optimise crop yields. EGNOS already has an important "user community", but the number of farming machinery compatible with navigation technology is more limited. That issue should be tackled.		EP OK to withdraw	51a

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
(41) It is imperative that the	<u>AMD 27</u>	(41) It is imperative that to ensure	(41) It is imperative to ensure the	52
continuity, sustainability and	(41) It is imperative that the	the continuity, sustainability and	sustainability of the Galileo and	
future availability of the services	continuity, sustainability,	future availability of the services	EGNOS systems and the	
provided by the Galileo and	security, reliability, accuracy and	provided by the Galileo and	continuity, availability, accuracy,	
EGNOS systems be ensured. In a	future availability of the services	EGNOS systems be ensuredand	reliability and security of their	
changing environment and	provided by the Galileo and	the continuity, availability,	services. In a changing	
rapidly developing market, their	EGNOS systems be ensured. In a	accuracy, reliability and	environment and rapidly	
development should also continue	changing environment and	security of their services. In a	developing market, their	
and new generations of these	rapidly developing market, their	changing environment and	development should also continue	
systems should be prepared.	development should also continue	rapidly developing market, their	and new generations of these	
	and new generations of these	development should also continue	systems, including associated	
	systems should be prepared.	and new generations of these	space and ground segment	
		systems, including associated	evolution, should be prepared.	
		space and ground segment		
		evolution, should be prepared.		
(42) In order to maximise their		(42) In order to maximise their	CONS text deletion OK	53
take-up, the Galileo's open		take-up, the Galileo's open	CONS lext detellor OK	
service and high-accuracy service		service and, high-accuracy		
and the EGNOS open service and		service and the emergency		
safety-of-life service should be		service and the EGNOS open		
provided free of charge to users.		service and safety-of-life		
		serviceservices should be		
		provided free of charge to users.		

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
(43) The term 'commercial		(43) The term 'commercial	(43) The term 'commercial	54
service' used in Regulation (EU)		service' used in Regulation (EU)	service' used in Regulation (EU)	
No 1285/2013 of the European		No 1285/2013 of the European	No 1285/2013 of the European	
Parliament and of the Council of		Parliament and of the Council of	Parliament and of the Council of	
11 December 2013 on the		11 December 2013 on the	11 December 2013 on the	
implementation and exploitation		implementation and exploitation	implementation and exploitation	
of European satellite navigation		of European satellite navigation	of European satellite navigation	
systems and repealing Council		systems and repealing Council	systems and repealing Council	
Regulation (EC) No 876/2002		Regulation (EC) No 876/2002	Regulation (EC) No 876/2002	
and Regulation (EC)		and Regulation (EC)	and Regulation (EC)	
No 683/2008 of the European		No 683/2008 of the European	No 683/2008 of the European	
Parliament and of the Council ²⁶ is		Parliament and of the Council ²⁷ is	Parliament and of the Council ²⁹ is	
no longer suited in the light of the		no longer suited in the light of the	no longer suited in the light of the	
evolution of that service. Instead		evolution of that service. Instead	evolution of that service. Instead	
two separate services should be		two separate services should be	two separate services have been	
identified, namely the high-		have been identified, namely the	identified, namely the high-	
accuracy service and the		high-accuracy service and the	accuracy service and the	
authentication service.		authentication service. ²⁸	authentication service. ³⁰	

OJ L 347, 20.12.2013, p. 1–24.

OJ L 347, 20.12.2013, p. 1–24.

Commission Implementing Decision (EU) 2017/224 of 8 February 2017 setting out the technical and operational specifications allowing the commercial service offered by the system established under the Galileo programme to fulfil the function referred to in Article 2(4)(c) of Regulation (EU) No 1285/2013 of the European Parliament and of the Council, OJ L 34, 9.2.2017, p. 36-40.

OJ L 347, 20.12.2013, p. 1–24.

Commission Implementing Decision (EU) 2017/224 of 8 February 2017 setting out the technical and operational specifications allowing the commercial service offered by the system established under the Galileo programme to fulfil the function referred to in Article 2(4)(c) of Regulation (EU) No 1285/2013 of the European Parliament and of the Council, OJ L 34, 9.2.2017, p. 36-40.

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(44) In order to optimise the use of the services provided, the services provided by Galileo and EGNOS should be compatible and interoperable with one another and, insofar as possible, with other satellite navigation systems and with conventional means of radio navigation where such compatibility and interoperability is laid down in an international agreement, without prejudice to the objective of strategic autonomy of the Union.	AMD 28 (44a) In order to support the exploitation of the services provided by Galileo and EGNOS and to support downstream services, in particular in the transport sector, the competent authorities should develop, common standards and certifications at international level.	(44) In order to optimise the use of the services provided, the services provided by Galileo and EGNOS should be compatible and interoperable with one another, including at users' level, and, insofar as possible, with other satellite navigation systems and with conventional means of radio navigation where such compatibility and interoperability is laid down in an international agreement, without prejudice to the objective of strategic autonomy of the Union.	(44) In order to optimise the use of the services provided, the services provided by Galileo and EGNOS should be compatible and interoperable with one another, including at users' level, and, insofar as possible, with other satellite navigation systems and with conventional means of radio navigation where such compatibility and interoperability is laid down in an international agreement, without prejudice to the objective of strategic autonomy of the Union. EP OK to withdraw	55a

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(45) Considering the importance for Galileo and EGNOS of their ground-based infrastructure and the impact thereof on their security, the determination of the location of the infrastructure should made by the Commission. The deployment of the ground-based infrastructure of the systems should continue to follow an open and transparent process.	AMD 29 deleted	(45) Considering the importance for Galileo and EGNOS of their ground-based infrastructure and the impact thereof on their security, the determination of the location of the infrastructure should made by the Commission. The deployment of the ground-based infrastructure of the systems should continue to follow an open and transparent process.	(45) Considering the importance for Galileo and EGNOS of their ground-based infrastructure and the impact thereof on their security, the determination of the location of the infrastructure should be made by the Commission. The deployment of the ground-based infrastructure of the systems should continue to follow an open and transparent process, which could involve the Agency where appropriate based on its field of competence.	56
(46) To maximise the socio- economic benefits of Galileo and EGNOS, notably in the area of security, the use of the services provided by EGNOS and Galileo in other Union policies should be promoted where this is justified and beneficial.	AMD 30 (46) To maximise the socioeconomic benefits of Galileo and EGNOS, notably in the area of security, the use of the services provided by EGNOS and Galileo should be mainstreamed, where possible, in other Union policies. Measures to encourage the use of those services in all Member States are also an important stage in the process.	(46) To maximise the socio- economic benefits of Galileo and EGNOS, notablywhile contributing to Union's autonomy, notably in sensitive sectors and in the area of safety and security, the use of the services provided by EGNOS and Galileo in other Union policies should be promoted also by regulatory means where this is justified and beneficial.	(46) To maximise the socio- economic benefits of Galileo and EGNOS, while contributing to Union's strategic autonomy, notably in sensitive sectors and in the area of safety and security, the use of the services provided by EGNOS and Galileo in other Union policies should be promoted also by regulatory means where this is justified and beneficial. Measures to encourage the use of those services in all Member States are also an important part of the process.	57

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(47) Copernicus should ensure an autonomous access to environmental knowledge and key technologies for Earth observation and geo-information services, thereby enabling the Union to achieve independent decision-making and actions in the fields of the environment, climate change, civil protection, security, as well as the digital economy, among others.	AMD 31 (47) Copernicus should ensure an autonomous access to environmental knowledge and key technologies for Earth observation and geo-information services, thereby enabling the Union to achieve independent decision-making and actions in the fields of the environment, including agriculture, biodiversity, land use, forestry, rural development and fisheries, climate change, cultural heritage sites, civil protection, security, including of infrastructures, as well as the digital economy, among others.	(47) Copernicus should ensure an autonomous access to environmental knowledge and key technologies for Earth observation and geo-information services, thereby enablingsupporting the Union to achieve independent decision-making and actions in the fields of the environment, climate change, civil protectionmarine, maritime, agriculture and rural development, preservation of cultural heritage, civil protection, infrastructure monitoring, security, as well as the digital economy, among others.	(47) Copernicus should ensure an autonomous access to environmental knowledge and key technologies for Earth observation and geo-information services, thereby supporting the Union to achieve independent decision-making and actions in the fields of the environment, climate change, marine, maritime, agriculture and rural development, preservation of cultural heritage, civil protection, land and infrastructure monitoring, security, as well as the digital economy, among others.	58
		(47b) The Programme's components should stimulate the application of digital technology in space systems, data and service distribution, downstream development.	(47b) The Programme's components should stimulate the application of digital technology in space systems, data and service distribution, downstream development. In that context the particular attention should be given to the initiatives and actions proposed by the Commission in its Communication of 14 September 2016 entitled 'Connectivity for a	58a

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
			Competitive Digital Single Market – Towards a European	
			Gigabit Society' and	
			Communication of 14 September	
			2016 entitled '5G for Europe: An	
			Action Plan'.	
(48) Copernicus should build on	AMD 32	(48) Copernicus should build on	(48) Copernicus should build on,	59
and ensure continuity with the	(48) Existing capacities should	and ensure continuity with the	ensure continuity with and	
activities and achievements under	be built on and should be	activities and achievements under	enhance the activities and	
Regulation (EU) No 377/2014 of	complemented by new assets,	Regulation (EU) No 377/2014 of	achievements under Regulation	
the European Parliament and of	which may be developed in	the European Parliament and of	(EU) No 377/2014 of the	
the Council ³¹ establishing the	common among the responsible	the Council ³⁶ establishing the	European Parliament and of the	
Union Earth observation and	entities. To that end, the	Union Earth observation and	Council ⁴¹ establishing the Union	
monitoring programme	Commission should work closely	monitoring programme	Earth observation and monitoring	
(Copernicus) as well as	with the European Space	(Copernicus) as well as	programme (Copernicus) as well	
Regulation (EU) No 911/2010 of	Agency, Member States and,	Regulation (EU) No 911/2010 of	as Regulation (EU) No 911/2010	
the European Parliament and of	where applicable, other entities	the European Parliament and of	of the European Parliament and	
the Council on the European	owning relevant space and in	the Council on the European	of the Council on the European	
Earth monitoring programme	situ assets. Copernicus should	Earth monitoring programme	Earth monitoring programme	
(GMES) and its initial	build on and ensure continuity	(GMES) and its initial	(GMES) and its initial	
operations ³² establishing the	with the activities and	operations ³⁷ establishing the	operations ⁴² establishing the	

Regulation (EU) No 377/2014 of the European Parliament and of the Council of 3 April 2014 establishing the Copernicus Programme and repealing Regulation (EU) No 911/2010 (OJ L 122, 24.4.2014, p. 44).

Regulation (EU) No 911/2010 of the European Parliament and of the Council of 22 September 2010 on the European Earth monitoring programme (GMES) and its initial operations (2011 to 2013)(OJ L 276, 20.10.2010, p. 1).

Regulation (EU) No 377/2014 of the European Parliament and of the Council of 3 April 2014 establishing the Copernicus Programme and repealing Regulation (EU) No 911/2010 (OJ L 122, 24.4.2014, p. 44).

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
predecessor Global Monitoring	achievements under Regulation	predecessor Global Monitoring	predecessor Global Monitoring	
for Environment and Security	(EU) No 377/2014 of the	for Environment and Security	for Environment and Security	
(GMES) programme and the	European Parliament and of the	(GMES) programme and the	(GMES) programme and the	
rules for implementation of its	Council ¹⁷ establishing the Union	rules for implementation of its	rules for implementation of its	
initial operations, taking into	Earth observation and monitoring	initial operations, taking into	initial operations, taking into	
account recent trends in research,	programme (Copernicus) as well	account recent trends in research,	account recent trends in research,	
technological advances and	as Regulation (EU) No 911/2010	technological advances and	technological advances and	
innovations impacting the Earth	of the European Parliament and	innovations impacting the Earth	innovations impacting the Earth	
observation domain, as well as	of the Council on the European	observation domain, as well as	observation domain, as well as	
developments in big data	Earth monitoring programme	developments in big data	developments in big data	
analytics and Artificial	(GMES) and its initial	analytics and Artificial	analytics and Artificial	
Intelligence and related strategies	operations ¹⁸	Intelligence and related strategies	Intelligence and related strategies	
and initiatives at Union level ³³ .	establishing the predecessor	and initiatives at Union level ³⁸ .	and initiatives at Union level ⁴³ .	
To the greatest extent possible, it	Global Monitoring for	To the greatest extent possible, it	For the development of new	
should make use of capacities for	Environment and Security	should make use of capacities for	assets, the Commission should	
space-borne observations of the	(GMES) programme and the	space-borne observations of the	work closely with Member	
Member States, the European	rules for implementation of its	Member States, the European	States, the European Space	
Space Agency, EUMETSAT ³⁴ , as	initial operations, taking into	Space Agency, EUMETSAT ³⁹ , as	Agency, EUMETSAT and, where	

Regulation (EU) No 911/2010 of the European Parliament and of the Council of 22 September 2010 on the European Earth monitoring programme (GMES) and its initial operations (2011 to 2013)(OJ L 276, 20.10.2010, p. 1).

Regulation (EU) No 377/2014 of the European Parliament and of the Council of 3 April 2014 establishing the Copernicus Programme and repealing Regulation (EU) No 911/2010 (OJ L 122, 24.4.2014, p. 44).

Regulation (EU) No 911/2010 of the European Parliament and of the Council of 22 September 2010 on the European Earth monitoring programme (GMES) and its initial operations (2011 to 2013)(OJ L 276, 20.10.2010, p. 1).

Communication "Artificial Intelligence for Europe" (COM(2018) 237 final), Communication "Towards a common European data space" (COM(2018) 232 final), Proposal for a Council Regulation on establishing the European High Performance Computing Joint Undertaking (COM(2018) 8 final).

The European Organisation for the Exploitation of Meteorological Satellites

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
well as other entities, including	account recent trends in research,	well as other entities, including	appropriate, other entities owning	
commercial initiatives in Europe,	technological advances and	commercial initiatives in Europe,	relevant space and in situ assets.	
thereby also contributing to the	innovations impacting the Earth	thereby also contributing to the	To the greatest extent possible, it	
development of a viable	observation domain, as well as	development of a viable	should make use of capacities for	
commercial space sector in	developments in big data	commercial space sector in	space-borne observations of the	
Europe. Where feasible and	analytics and Artificial	Europe. Where feasible and	Member States, the European	
appropriate, it should also make	Intelligence and related strategies	appropriate, it should also make	Space Agency, EUMETSAT ⁴⁴ , as	
use of the available in situ and	and initiatives at Union level ¹⁹ .	use of the available in situ and	well as other entities, including	
ancillary data provided mainly by	To the greatest extent possible, it	ancillary data provided mainly by	commercial initiatives in Europe,	
the Member States in accordance	should make use of capacities for	the Member States in accordance	thereby also contributing to the	
with Directive 2007/2/EC ³⁵ . The	space-borne observations of the	with Directive 2007/2/EC ⁴⁰ . The	development of a viable	
Commission should work	Member States, the European	Commission should work	commercial space sector in	
together with the Member States	Space Agency, EUMETSAT ²⁰ , as	together with the Member States	Europe. Where feasible and	
and the European Environment	well as other entities, including	and the European Environment	appropriate, it should also make	
Agency to ensure an efficient	commercial initiatives in Europe,	Agency to ensure an efficient	use of the available in situ and	
access and use of the in-situ data	thereby also contributing to the	access and use of the in-situ data	ancillary data provided mainly by	

Communication "Artificial Intelligence for Europe" (COM(2018) 237 final), Communication "Towards a common European data space" (COM(2018) 232 final), Proposal for a Council Regulation on establishing the European High Performance Computing Joint Undertaking (COM(2018) 8 final).

The European Organisation for the Exploitation of Meteorological Satellites

Communication "Artificial Intelligence for Europe" (COM(2018) 237 final), Communication "Towards a common European data space" (COM(2018) 232 final), Proposal for a Council Regulation on establishing the European High Performance Computing Joint Undertaking (COM(2018) 8 final).

Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE)

The European Organisation for the Exploitation of Meteorological Satellites

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
sets for Copernicus.	development of a viable commercial space sector in Europe. Where feasible and appropriate, it should also make use of the available in situ and ancillary data provided mainly by the Member States in accordance with Directive 2007/2/EC ²¹ . The Commission should work together with the Member States and the European Environment Agency to ensure an efficient access and use of the in-situ data sets for Copernicus 17 Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) 18 Regulation (EU) No 377/2014 of the European Parliament and of the Council of 3 April 2014 establishing the Copernicus Programme and repealing Regulation (EU) No 911/2010 (OJ L 122, 24.4.2014, p. 44). 19 Regulation (EU) No 911/2010 of the European Parliament and of the Council of 22 September 2010 on the European	sets for Copernicus.	the Member States in accordance with Directive 2007/2/EC ⁴⁵ . The Commission should work together with the Member States and the European Environment Agency to ensure an efficient access and use of the in-situ data sets for Copernicus.	

Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE)

7002/19
ANNEX PG/nj 76
ECOMP.3.C. **LIMITE EN**

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
	Earth monitoring programme (GMES) and its initial operations (2011 to 2013)(OJ L 276, 20.10.2010, p. 1). ²⁰ Communication "Artificial Intelligence for Europe" (COM(2018) 237 final), Communication "Towards a common European data space" (COM(2018) 232 final), Proposal for a Council Regulation on establishing the European High Performance Computing Joint Undertaking (COM(2018) 8 final). ²¹ The European Organisation for the Exploitation of Meteorological Satellites			
(49) Copernicus should be implemented in accordance with the objectives of Directive 2003/98/EC of the European Parliament and of the Council on the re-use of public sector information amended by Directive 2013/37/EU of the European Parliament and of the Council of 26 June 2013 amending Directive 2003/98/EC on the re-use of public sector information ⁴⁶ , in particular transparency, the creation of	ZpJ. and J. F. Z. L. S. L.	(49) Copernicus should be implemented in accordance with the objectives of Directive 2003/98/EC of the European Parliament and of the Council on the re-use of public sector information amended by Directive 2013/37/EU of the European Parliament and of the Council of 26 June 2013 amending Directive 2003/98/EC on the re-use of public sector information ⁴⁷ , in particular transparency, the creation of	(49) Copernicus should be implemented in accordance with the objectives of Directive 2003/98/EC of the European Parliament and of the Council on the re-use of public sector information amended by Directive 2013/37/EU of the European Parliament and of the Council of 26 June 2013 amending Directive 2003/98/EC on the re-use of public sector information ⁴⁸ , in particular transparency, the creation of	60
conditions conducive to the		conditions conducive to the	conditions conducive to the	

⁴⁶

⁴⁷

OJ L 175, 27.6.2013, p. 1–8. OJ L 175, 27.6.2013, p. 1–8. OJ L 175, 27.6.2013, p. 1–8. 48

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
development of services, and contributing to economic growth and job creation in the Union. Copernicus data and Copernicus information should be available freely and openly.		development of services, and contributing to economic growth and job creation in the Union. Copernicus data and Copernicus information should be available freely and openly.	development of services, and contributing to economic growth and job creation in the Union. Copernicus data and Copernicus information should be available freely and openly.	
	AMD 33 (49a) The full potential of Copernicus for the Union society and economy should be fully unleashed beyond direct beneficiaries by means of an intensification of user uptake measures, which requires further action to render the data usable by non-specialists and thereby stimulate growth, job creation and knowledge transfers.		(49a) The full potential of Copernicus for the Union society and economy should be fully unleashed beyond direct beneficiaries by means of an intensification of user uptake measures, which requires further action to render the data usable by non-specialists and thereby stimulate growth, job creation and knowledge transfers.	60a

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
(50) Copernicus is a user-driven		(50) Copernicus is a user-driven	(50) Copernicus is a user-driven	61
programme. Its evolution should		programme. Its evolution should	programme. Its evolution should	
therefore be based on the		therefore be based on the	therefore be based on the	
evolving requirements of the		evolving requirements of the	evolving requirements of the	
Copernicus core users, while also		Copernicus core users, while also	Copernicus core users, while also	
recognising the emergence of		recognising the emergence of	recognising the emergence of	
new user communities either		new user communities either	new user communities either	
public or private. Copernicus		public or private. Copernicus	public or private. Copernicus	
should base itself on an analysis		should base itself on an analysis	should base itself on an analysis	
of options to meet evolving user		of options to meet evolving user	of options to meet evolving user	
needs, including those related to		needs, including those related to	needs, including those related to	
implementation, and monitoring		implementation, and monitoring	implementation, and monitoring	
of Union policies which require		of Union policies which require	of Union policies which require	
the continuous, effective		the continuous, effective	the continuous, effective	
involvement of users, particularly		involvement of users, particularly	involvement of users, particularly	
regarding the definition and		regarding the definition and	regarding the definition and	
validation of requirements.		validation of requirements.	validation of requirements.	
(51) Copernicus is already		(51) Copernicus is already	(51) Copernicus is already	62
operational. It is therefore		operational. It is therefore	operational. It is therefore	
important to ensure the continuity		important to ensure the continuity	important to ensure the continuity	
of the infrastructure and services		of the infrastructure and services	of the infrastructure and services	
already in place, whilst adapting		already in place, whilst adapting	already in place, whilst adapting	
to the changing market		to the changing user needs ,	to the changing user needs,	
environment, notably the		market environment, notably the	market environment, notably the	
emergence of private actors in		emergence of private actors in	emergence of private actors in	
space ("New Space") and socio-		space ("New Space") and socio-	space ("New Space") and socio-	
political developments for which		political developments for which	political developments for which	
a rapid response is needed. This		a rapid response is needed. This	a rapid response is needed. This	
requires a redefinition of the		requires a redefinitionan	requires an evolution of the	
functional structure of		evolution of the functional	functional structure of	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
Copernicus to better reflect the		structure of Copernicus to better	Copernicus to better reflect the	
shift from the first stage of		reflect the shift from the first	shift from the first stage of	
operational services to the		stage of operational services to	operational services to the	
provision of advanced and more		the provision of advanced and	provision of advanced and more	
targeted services to new user		more targeted services to new	targeted services to new user	
communities and the fostering of		user communities and the	communities and the fostering of	
added-value downstream		fostering of added-value	added-value downstream	
markets. To this end, its further		downstream markets. To this end,	markets. To this end, its further	
implementation should adopt an		its further implementation should	implementation should adopt an	
approach following the data value		adopt an approach following the	approach following the data value	
chain, i.e. data acquisition, data		data value chain, i.e. data	chain, i.e. data acquisition, data	
and information processing,		acquisition, data and information	and information processing,	
distribution and exploitation, user		processing, distribution and	distribution and exploitation,	
and market uptake activities,		exploitation, user-and, market	user, market uptake and capacity	
while the strategic planning		uptake and capacity building	building activities, while the	
process under Horizon Europe		activities, while the strategic	strategic planning process under	
will identify research and		planning process under Horizon	Horizon Europe will identify	
innovation activities that should		Europe will identify research and	research and innovation activities	
make use of Copernicus.		innovation activities that should	that should make use of	
		make use of Copernicus.	Copernicus.	
(52) With regard to data	AMD 34	(52) With regard to data	(52) With regard to data	63
acquisition, the activities under	(52) With regard to data	acquisition, the activities under	acquisition, the activities under	
Copernicus should aim at	acquisition, the activities under	Copernicus should aim at	Copernicus should aim at	
completing and maintaining the	Copernicus should aim at	completing and maintaining the	completing and maintaining the	
existing space infrastructure,	completing and maintaining the	existing space infrastructure,	existing space infrastructure,	
preparing the long-term	existing space infrastructure,	preparing the long-term	preparing the long-term	
replacement of the satellites at the	preparing the long-term	replacement of the satellites at the	replacement of the satellites at the	
end of their lifetime, as well as	replacement of the satellites at the	end of their lifetime, as well as	end of their lifetime, as well as	
initiating new missions	end of their lifetime, as well as	initiating new missions	initiating new missions	
addressing new observation	initiating new missions whose	addressing in particular new	addressing in particular new	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
systems to support meeting the	feasibility is currently being	observation systems to support	observation systems to support	
challenge of global climate	explored by the European Space	meeting the challenge of global	meeting the challenge of global	
change (e.g. anthropogenic CO ₂	Agency addressing new	climate change (e.g.	climate change (e.g.	
and other greenhouse gas	observation systems to support	anthropogenic CO ₂ and other	anthropogenic CO ₂ and other	
emissions monitoring). Activities	meeting the challenge of global	greenhouse gas emissions	greenhouse gas emissions	
under Copernicus should expand	climate change (e.g.	monitoring). Activities under	monitoring). Activities under	
their global monitoring coverage	anthropogenic CO ₂ and other	Copernicus should expand their	Copernicus should expand their	
over the polar regions and	greenhouse gas emissions	global monitoring coverage over	global monitoring coverage over	
support environmental	monitoring). Activities under	the polar regions and support	the polar regions and support	
compliance assurance, statutory	Copernicus should expand their	environmental compliance	environmental compliance	
environmental monitoring and	global monitoring coverage over	assurance, statutory	assurance, statutory	
reporting and innovative	the polar regions and support	environmental monitoring and	environmental monitoring and	
environmental applications (e.g.	environmental compliance	reporting and innovative	reporting and innovative	
for crops monitoring, water	assurance, statutory	environmental applications	environmental applications in	
management and enhanced fire	environmental monitoring and	(e.g.in agriculture, forest, water	agriculture, forest, water and	
monitoring). In doing so,	reporting and innovative	and marine resources	marine resources management	
Copernicus should leverage and	environmental applications (e.g.	management and cultural	and cultural heritage (e.g. for	
take maximum advantage of the	for crops monitoring, water	heritage (e.g. for crops	crops monitoring, water	
investments made under the	management and enhanced fire	monitoring, water management	management and enhanced fire	
previous funding period (2014-	monitoring). In doing so,	and enhanced fire monitoring). In	monitoring). In doing so,	
2020), while exploring new	Copernicus should leverage and	doing so, Copernicus should	Copernicus should leverage and	
operational and business models	take maximum advantage of the	leverage and take maximum	take maximum advantage of the	
to further complement the	investments made under the	advantage of the investments	investments made under the	
Copernicus capacities.	previous funding period (2014-	made under the previous funding	previous funding period (2014-	
Copernicus should also build on	2020), while exploring new	period (2014-2020), including	2020), including those made by	
successful partnerships with	operational and business models	those made by Member States,	Member States, ESA and	
Member States to further develop	to further complement the	ESA and EUMETSAT, while	EUMETSAT, while exploring	
its security dimension under	Copernicus capacities.	exploring new operational and	new operational and business	
appropriate governance	Copernicus should also build on	business models to further	models to further complement the	
mechanisms, in order to respond	successful partnerships with	complement the Copernicus	Copernicus capacities.	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
to evolving user needs in the	Member States to further develop	capacities. Copernicus should	Copernicus -might also build on	
security domain.	its security dimension under	might also build on successful	successful partnerships with	
	appropriate governance	partnerships with Member States	Member States to further develop	
	mechanisms, in order to respond	to further develop its security	its security dimension under	
	to evolving user needs in the	dimension under appropriate	appropriate governance	
	security domain.	governance mechanisms, in order	mechanisms, in order to respond	
		to respond to evolving user needs in the security domain.	to evolving user needs in the security domain.	
(53) As part of the data and	AMD 35	(53) As part of the data and	(53) As part of the data and	64
information processing function,	(53) As part of the data and	information processing function,	information processing function,	
Copernicus should ensure the	information processing function,	Copernicus should ensure the	Copernicus should ensure the	
long-term sustainability and	Copernicus should ensure the	long-term sustainability and	long-term sustainability and	
further development of the core	long-term sustainability and	further development of the core	further development of	
Copernicus services, providing	further development of the core	Copernicus services, providing	Copernicus services, providing	
information in order to satisfy	Copernicus services, providing	information in order to satisfy	information in order to satisfy	
public sector needs and those	information in order to satisfy	public sector needs and those	public sector needs and those	
arising from the Union's	public sector needs and those	arising from the Union's	arising from the Union's	
international commitments, and	arising from the Union's	international commitments, and	international commitments, and	
to maximise opportunities for	international commitments, and	to maximise opportunities for	to maximise opportunities for	
commercial exploitation. In	to maximise opportunities for	commercial exploitation. In	commercial exploitation. In	
particular, Copernicus should	commercial exploitation. In	particular, Copernicus should	particular, Copernicus should	
deliver, at the local, national,	particular, Copernicus should	deliver, at the local, national,	deliver, at the local, national,	
European and global scale,	deliver, at the local, national,	European and global scale,	European and global scale,	
information on the state of the	European and global scale,	information on the	information on the composition	
atmosphere; information on the	information on the state of the	statecomposition of the	of the atmosphere and air quality;	
state of the oceans; information in	atmosphere, including air	atmosphere and air quality;	information on the state and	
support of land monitoring	<i>quality</i> ; information on the state	information on the state and	dynamics of the oceans;	
supporting the implementation of	of the oceans; information in	dynamics of the oceans;	information in support of land	
local, national and Union	support of land monitoring	information in support of land	and ice monitoring supporting the	
policies; information in support	supporting the implementation of	and ice monitoring supporting	implementation of local, national	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
of climate change adaptation and	local, national and Union	the implementation of local,	and Union policies; information	
mitigation; geospatial	policies; information in support	national and Union policies;	in support of climate change	
information in support of	of climate change adaptation and	information in support of climate	adaptation and mitigation;	
emergency management,	mitigation; geospatial	change adaptation and mitigation;	geospatial information in support	
including through prevention	information in support of	geospatial information in support	of emergency management,	
activities, environmental	emergency management,	of emergency management,	including through prevention	
compliance assurance, as well as	including through prevention	including through prevention	activities, environmental	
civil security including support	activities, environmental	activities, environmental	compliance assurance, as well as	
for the Union's external action.	compliance assurance, as well as	compliance assurance, as well as	civil security including support	
The Commission should identify	civil security including support	civil security including support	for the Union's external action.	
appropriate contractual	for the Union's external action.	for the Union's external action.	The Commission should identify	
arrangements fostering the	The Commission should identify	The Commission should identify	appropriate contractual	
sustainability of service	appropriate contractual	appropriate contractual	arrangements fostering the	
provision.	arrangements fostering the	arrangements fostering the	sustainability of service	
	sustainability of service	sustainability of service	provision.	
	provision.	provision.		
(54) In the implementation of the		(54) In the implementation of the	(54) In the implementation of the	65
Copernicus services, the		Copernicus services Services, the	Copernicus Services, the	
Commission may rely on		Commission mayshould rely on	Commission should rely on	
competent entities, relevant		competent entities, relevant	competent entities, relevant	
Union agencies, groupings or		Union agencies, groupings or	Union agencies, groupings or	
consortia of national bodies, or		consortia of national bodies, or	consortia of national bodies, or	
any relevant body potentially		any relevant body potentially	any relevant body potentially	
eligible for a contribution		eligible for a contribution	eligible for a contribution	
agreement. In the selection of		agreement. In the selection of	agreement. In the selection of	
these entities, the Commission		these entities, the Commission	these entities, the Commission	
should ensure that there is no		should ensure that there is no	should ensure that there is no	
disruption in the operations and		disruption in the operations and	disruption in the operations and	
provision of services and that,		provision of services and that,	provision of services and that,	
where security-sensitive data is		where security-sensitive data is	where security-sensitive data is	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
concerned, the entities concerned have early warning and crisis monitoring capabilities within the context of the common foreign and security policy (CFSP) and, in particular, of the common security and defence policy (CSDP).		concerned, the entities concerned have early warning and crisis monitoring capabilities within the context of the common foreign and security policy (CFSP) and, in particular, of the common security and defence policy (CSDP).	concerned, the entities concerned have early warning and crisis monitoring capabilities within the context of the common foreign and security policy (CFSP) and, in particular, of the common security and defence policy (CSDP). In accordance with Article 154 of the Financial Regulation, persons and entities entrusted with the implementation of Union funds are obliged to respect the principle of non-discrimination	N
			towards all Member States; this principle should be ensured through the relevant contribution agreements relating to the provision of the Copernicus services.	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
	AMD 36 (54a) In order to achieve the objectives of Copernicus on a sustainable basis, a committee (the Copernicus sub-committee) could be established to assist the Commission in ensuring the coordination of contributions to Copernicus by the Union, the User Fora, the Member States and inter-governmental organisations as well as the private sector, making the best use of existing capacities and identifying gaps to be addressed at Union level.		EP OK to withdraw	65a

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(55) The implementation of the	AMD 37	(55) The implementation of the	Linked to Governance	66
Copernicus services should	(55) The implementation of the	Copernicus services should		
facilitate the public uptake of	Copernicus services should	facilitate the public uptake of	(55) The implementation of the	
services as users would be able to	facilitate the public uptake of	services as users would be able to	Copernicus services should	
anticipate the availability and	services as users would be able to	anticipate the availability and	facilitate the public uptake of	
evolution of services as well as	anticipate the availability and	evolution of services as well as	services as users would be able to	
cooperation with Member States	evolution of services as well as	cooperation with Member States	anticipate the availability and	
and other parties. To this end, the	cooperation with Member States	and other parties. To this end, the	evolution of services as well as	
Commission and its entrusted	and other parties. To this end, the	Commission and its entrusted	cooperation with Member States	
entities providing services should	Agency and the Copernicus	entities providing services should	and other parties. To this end, the	
engage closely with different user	entrusted entities should engage	engage closely with differentcore	Commission and its entrusted	
communities across Europe in	closely with different user	user communities across Europe	entities providing services should	
further developing the	communities across Europe in	in further developing the	engage closely with core user	
Copernicus services and	further developing the	Copernicus services and	communities across Europe in	
information portfolio to ensure	Copernicus services and	information portfolio to ensure	further developing the	
that evolving public sector and	information portfolio to ensure	that evolving public sector and	Copernicus services and	
policy needs are met and thus the	that evolving public sector and	policy needs are met and thus the	information portfolio to ensure	
uptake of Earth observation data	policy needs are met and thus the	uptake of Earth observation data	that evolving public sector and	
can be maximised. The	uptake of Earth observation data	can be maximised. The	policy needs are met and thus the	
Commission and Member States	can be maximised in the interest	Commission and Member States	uptake of Earth observation data	
should work together to develop	of European citizens. The	should work together to develop	can be maximised. The	
the in-situ component of	Commission and Member States	the in-situ component of	Commission and Member States	
Copernicus and to facilitate the	should work together to develop	Copernicus and to facilitate the	should work together to develop	
integration of in-situ datasets	the in-situ component of	integration of in-situ datasets	the in-situ component of	
with space datasets for upgraded	Copernicus and to facilitate the	with space datasets for upgraded	Copernicus and to facilitate the	
Copernicus services.	integration of in-situ datasets	Copernicus services.	integration of in-situ datasets	
	with space datasets for upgraded		with space datasets for upgraded	
	Copernicus services.		Copernicus services.	

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(doc. 9898/18)		(55a) Canamiana'a fua full	(55a) Conomicus's free full and	
		(55a) Copernicus's free, full	(55a) Copernicus's free, full and	66a
		and open data policy has been	open data policy has been	
		evaluated as one of the most	evaluated as one of the most	
		successful elements of	successful elements of	
		Copernicus' implementation	Copernicus' implementation and	
		and has been instrumental in	has been instrumental in driving	
		<u>driving strong demand for its</u>	strong demand for its data and	
		data and information,	information, establishing	
		establishing Copernicus as one	Copernicus as one of the largest	
		of the largest EO data provider	EO data provider in the world.	
		in the world. There is a clear	There is a clear need to guarantee	
		need to guarantee the long-	the long-term and secure	
		term and secure continuity of	continuity of the free, full and	
		the free, full and open data	open data provision and access	
		provision and access should be	should be safeguarded in order to	
		safeguarded in order to realise	realise the ambitious goals as set	
		the ambitious goals as set out in	out in the Space Strategy for	
		the Space Strategy for Europe	Europe (2016). Copernicus data	
		(2016). Copernicus data is	is created primarily for the	
		created primarily for the	benefit of European citizens, and	
		benefit of European citizens,	by making this data freely	
		and by making this data freely	available worldwide	
		available worldwide	collaboration opportunities are	
		collaboration opportunities are	maximized for EU businesses and	
		maximized for EU businesses	academics and contribute to an	
		and academics and contribute	effective European space	
		to an effective European space	ecosystem. Should any limitation	
		ecosystem. Should any	be placed on the access to	
		limitation be placed on the	Copernicus data and information,	
		access to Copernicus data and	it should be in line with the	

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
		information, it should be in line	Copernicus data policy as defined	
		with the Copernicus data policy	in this Regulation and	
		as defined in this Regulation	Commission Delegated	
		and Commission Delegated	Regulation (EU) No 1159/2013.	
		Regulation (EU) No 1159/2013.		
(56) The data and information		(56) The data and information	(56) The data and information	67
produced in the framework of		produced in the framework of	produced in the framework of	
Copernicus should be made		Copernicus should be made	Copernicus should be made	
available on a full, open and free-		available on a full, open and free-	available on a full, open and free-	
of-charge basis subject to		of-charge basis subject to	of-charge basis subject to	
appropriate conditions and		appropriate conditions and	appropriate conditions and	
limitations, in order to promote		limitations, in order to promote	limitations, in order to promote	
their use and sharing, and to		their use and sharing, and to	their use and sharing, and to	
strengthen the European Earth		strengthen the European Earth	strengthen the European Earth	
observation markets, in particular		observation markets, in particular	observation markets, in particular	
the downstream sector, thereby		the downstream sector, thereby	the downstream sector, thereby	
enabling growth and job creation		enabling growth and job creation	enabling growth and job creation	
in the Union. Such provision		in the Union. Such provision	in the Union. Such provision	
should continue to provide data		should continue to provide data	should continue to provide data	
and information with high levels		and information with high levels	and information with high levels	
of consistency, continuity,		of consistency, continuity,	of consistency, continuity,	
reliability, and quality. This calls		reliability, and quality. This calls	reliability, and quality. This calls	
for large-scale and user-friendly		for large-scale and user-friendly	for large-scale and user-friendly	
access to, processing and		access to, processing and	access to, processing and	
exploitation of Copernicus data		exploitation of Copernicus data	exploitation of Copernicus data	
and information, at various		and information, at various	and information, at various	
timeliness levels, for which the		timeliness levels, for which the	timeliness levels, for which the	
Commission should continue to		Commission should continue to	Commission should continue to	
follow an integrated approach,		follow an integrated approach,	follow an integrated approach,	
both at EU and Member States		both at EU and Member States	both at EU and Member States	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
level, enabling also integration with other sources of data and information. Copernicus should further promote its Data and Information Access Services (DIAS) within Member States and establish synergies with their assets in order to maximise and strengthen market uptake of Copernicus data and information.	AMD 38	level, enabling also integration with other sources of data and information. Therefore the Commission should take the necessary measures to ensure that Copernicus should further promote itsdata and information is easily and efficiently accessible and usable, notably by promoting the Data and Information Access Services (DIAS) within Member States and when possible fostering interoperability between the existing European EO data infrastructures to establish synergies with theirthese assets in order to maximise and strengthen market uptake of Copernicus data and information.	level, enabling also integration with other sources of data and information. Therefore the Commission should take the necessary measures to ensure that Copernicus data and information is easily and efficiently accessible and usable, notably by promoting the Data and Information Access Services (DIAS) within Member States and when possible fostering interoperability between the existing European EO data infrastructures to establish synergies with these assets in order to maximise and strengthen market uptake of Copernicus data and information.	67a
	(56a) Member States, the Commission and the responsible entities should periodically run the Copernicus information campaigns regarding the benefits of the programme, giving all potential users access to the relevant information and data.			

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18) (57) The Commission should work with data providers to agree licensing conditions for third-party data to facilitate their use within Copernicus, in compliance with this Regulation and applicable third-party rights. As some Copernicus data and Copernicus information, including high-resolution images, may have an impact on the security of the Union or its Member States, in duly justified cases, measures in order to deal with risks and threats to the security of the Union or its Member States may be adopted.	AMD 39 (57a) Copernicus' Climate Change services, although still in a pre-operational phase, are already well on track as the number of users doubled between 2015 and 2016. All Climate Change services should become fully operational as soon as possible and thereby provide the continuous flow of data necessary for effective climate change mitigation and	(57) The Commission should work with data providers to agree licensing conditions for third-party data to facilitate their use within Copernicus, in compliance with this Regulation and applicable third-party rights. As some Copernicus data and Copernicus information, including high-resolution images, may have an impact on the security of the Union or its Member States, in duly justified cases, measures in order to deal with risks and threats to the security of the Union or its Member States may be adopted.	(57) The Commission should work with data providers to agree licensing conditions for third-party data to facilitate their use within Copernicus, in compliance with this Regulation and applicable third-party rights. As some Copernicus data and Copernicus information, including high-resolution images, may have an impact on the security of the Union or its Member States, in duly justified cases, measures in order to deal with risks and threats to the security of the Union or its Member States may be adopted. EP OK to withdraw	68a

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(400, 50, 6, 10)	adaptation actions.			11
(58) The provisions of legal acts	•	(58) The provisions of legal acts	(58) The provisions of legal acts	69
adopted under previous		adopted under previous	adopted under previous	
regulations without ending date		regulations without ending date	regulations without ending date	
should remain valid unless in		should remain valid unless in	should remain valid unless in	
contradiction with the new		contradiction with the new	contradiction with the new	
regulation. This concerns in		regulation. This concerns in	regulation. This concerns in	
particular the Commission		particular the Commission	particular the Commission	
Delegated Regulation (EU) No		Delegated Regulation (EU) No	Delegated Regulation (EU) No	
1159/2013 establishing the		1159/2013 establishing the	1159/2013 establishing the	
registration and licensing		registration and licensing	registration and licensing	
conditions for GMES users and		conditions for GMES users and	conditions for GMES users and	
defining criteria for restricting		defining criteria for restricting	defining criteria for restricting	
access to GMES dedicated data		access to GMES dedicated data	access to GMES dedicated data	
and GMES service information ⁴⁹ .		and GMES service information ⁵⁰	and GMES service information ⁵¹ .	
(59) To promote and facilitate the	<u>AMD 40</u>	(59) To promote and facilitate the	(59) To promote and facilitate the	70
use of Earth observation data and	(59) To promote and facilitate	use of Earth observation data and	use of Earth observation data and	
technologies both by local	the use of Earth observation data	technologies both by local,	technologies both by local,	
authorities, by small and	and technologies both by local	regional or national authorities,	regional or national authorities,	
medium-sized enterprises,	and regional authorities, by small	by small and medium-sized	by small and medium-sized	
scientists and researchers,	and medium-sized enterprises,	enterprises, scientists and	enterprises, scientists and	
dedicated networks for	scientists and researchers,	researchers, dedicated networks	researchers, dedicated networks	
Copernicus data distribution,	dedicated networks for	for Copernicus data distribution,	for Copernicus data distribution,	
including national and regional	Copernicus data distribution,	including national and regional	including national and regional	
bodies, should be promoted	including national and regional	bodies such as Copernicus	bodies such as Copernicus Relays	
through user uptake activities. To	bodies, should be promoted	Relays and Copernicus	and Copernicus Academies,	

⁴⁹

⁵⁰

OJ L 309, 19.11.2013, p. 1–6. OJ L 309, 19.11.2013, p. 1–6. OJ L 309, 19.11.2013, p. 1–6. 51

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
this end, the Commission and the Member States should strive to establish closer links between Copernicus and Union and national policies in order to drive the demand for commercial applications and services and enable enterprises, particular small and medium-sized enterprises and start-ups, to develop applications based on Copernicus data and information aiming at developing a competitive Earth observation data eco-system in Europe.	through user uptake activities. To this end, the Commission and the Member States should strive to establish closer links between Copernicus and Union and national policies in order to drive the demand for commercial applications and services and enable enterprises, particular small and medium-sized enterprises and start-ups, to develop applications based on Copernicus data and information aiming at developing a competitive Earth observation data eco-system in Europe.	Academies, should be promoted through user uptake activities. To this end, the Commission and the Member States should strive to establish closer links between Copernicus and Union and national policies in order to drive the demand for commercial applications and services and enable enterprises, particular small and medium-sized enterprises and start-ups, to develop applications based on Copernicus data and information aiming at developing a competitive Earth observation data eco-system in Europe.	should be promoted through user uptake activities. To this end, the Commission and the Member States should strive to establish closer links between Copernicus and Union and national policies in order to drive the demand for commercial applications and services and enable enterprises, particular small and mediumsized enterprises and start-ups, to develop applications based on Copernicus data and information aiming at developing a competitive Earth observation data eco-system in Europe.	
	AMD 41 (59a) Given the major potential of satellite imagery for sustainable and efficient resource management, providing reliable and timely information on crop and soil conditions for example, that service should be further enhanced to meet end- user needs and ensure data linkage.		EP OK to withdraw	70a

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
(60) In the international domain,		(60) In the international domain,	(60) In the international domain,	71
Copernicus should provide		Copernicus should provide	Copernicus should provide	
accurate and reliable information		accurate and reliable information	accurate and reliable information	
for cooperation with third		for cooperation with third	for cooperation with third	
countries and international		countries and international	countries and international	
organisations, and in support of		organisations, and in support of	organisations, and in support of	
the Union's external and		the Union's external and	the Union's external and	
development cooperation		development cooperation	development cooperation	
policies. Copernicus should be		policies. Copernicus should be	policies. Copernicus should be	
considered as a European		considered as a European	considered as a European	
contribution to the Global Earth		contribution to the Global Earth	contribution to the Global Earth	
Observation System of Systems		Observation System of Systems	Observation System of Systems	
(GEOSS), the Committee on		(GEOSS), the Committee on	(GEOSS), the Committee on	
Earth Observation Satellites		Earth Observation Satellites	Earth Observation Satellites	
(CEOS), the Conference of the		(CEOS), the Conference of the	(CEOS), the Conference of the	
Parties (COP) to the 1992 United		Parties (COP) to the 1992 United	Parties (COP) to the 1992 United	
Nations Framework Convention		Nations Framework Convention	Nations Framework Convention	
on Climate Change (UNFCCC)		on Climate Change (UNFCCC)),	on Climate Change (UNFCCC),	
and the Sendai Framework for		the achievement of the United	the achievement of the United	
Disaster Risk Reduction. It		Nations Sustainable	Nations Sustainable Development	
should establish or maintain		Development Goals (SDG) and	Goals (SDG) and the Sendai	
appropriate cooperation with		the Sendai Framework for	Framework for Disaster Risk	
relevant sectoral UN bodies and		Disaster Risk Reduction. It	Reduction. It should establish or	
the World Meteorological		should establish or maintain	maintain appropriate cooperation	
Organisation.		appropriate cooperation with	with relevant sectoral UN bodies	
		relevant sectoral UN bodies and	and the World Meteorological	
		the World Meteorological	Organisation.	
		Organisation.		

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(61) In the implementation of		(61) In the implementation of	(61) In the implementation of	72
Copernicus, the Commission		Copernicus, the Commission	Copernicus, the Commission	
should rely, where appropriate,		should rely, where appropriate,	should rely, where appropriate,	
on European international		on European international	on European international	
organisations with which it has		organisations with which it has	organisations with which it has	
already established partnerships,		already established partnerships,	already established partnerships,	
in particular the European Space		in particular the European Space	in particular the European Space	
Agency for the development and		Agency for the development,	Agency for the development,	
procurement of space assets, data		coordination, implementation	coordination, implementation and	
access and the operation of		and procurement evolution of the	evolution of the space	
dedicated missions. In addition,		space assets, data components,	components, access to third party	
the Commission should rely on		access to third party data where	data where appropriate and when	
EUMETSAT for the operation of		appropriate and when not	not undertaken by other entities	
dedicated missions in accordance		undertaken by other entities the	the operation of dedicated	
with its expertise and mandate. In		operation of dedicated missions.	missions. In addition, the	
the domain of services, the		In addition, the Commission	Commission should rely on	
Commission should take		should rely on EUMETSAT for	EUMETSAT for the operation of	
appropriate benefit from the		the operation of dedicated	dedicated missions or parts	
specific capacities provided by		missions or parts thereof and,	thereof and, where appropriate,	
Union Agencies such as the		where appropriate, access to	access to contributing mission	
European Environment Agency,		contributing mission data in	data in accordance with its	
the European Maritime Safety		accordance with its expertise and	expertise and mandate.	
Agency, the European Border and		mandate.		
Coast Guard Agency, as well as				
the intergovernmental European				
Centre for Medium-range				
Weather Forecasts and the				
European investments made				
already in marine environment				
monitoring services through				

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
Mercator Ocean. On security, a				
comprehensive approach at				
Union level will be sought with				
the High Representative. The				
Joint Research Centre (JRC) of				
the Commission has been				
actively involved from the start of				
the GMES initiative and has				
supported developments for				
Galileo and space weather. Under				
Regulation (EU) No 377/2014;				
the JRC is managing the				
Copernicus emergency				
management service and the				
global component of the				
Copernicus land monitoring				
service; it is contributing to the				
review of the quality and fitness				
for purpose of products and				
information, and to the future				
evolution. The Commission				
should continue relying on JRC's				
scientific and technical advice for				
the implementation of the				
Programme.				

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
		(61a) In the domain of services,	(61a) In the domain of services,	72a
		the Commission should take	the Commission should take	
		appropriate benefit from the	appropriate benefit from the	
		specific capacities provided by	specific capacities provided by	
		Union Agencies such as the	Union Agencies such as the	
		European Environment Agency,	European Environment Agency,	
		the European Maritime Safety	the European Maritime Safety	
		Agency, the European Border and	Agency, the European Border and	
		Coast Guard Agency, SATCEN	Coast Guard Agency, SATCEN,	
		[,_as well as the	as well as the intergovernmental	
		intergovernmental European	European Centre for Medium-	
		Centre for Medium-range	range Weather Forecasts and the	
		Weather Forecasts} and the	European investments made	
		European investments made	already in marine environment	
		already in marine environment	monitoring services through	
		monitoring services through	Mercator Ocean. On security, a	
		Mercator Ocean. On security, a	comprehensive approach at	
		comprehensive approach at	Union level will be sought with	
		Union level will be sought with	the High Representative. The	
		the High Representative. The	Joint Research Centre (JRC) of	
		Joint Research Centre (JRC) of	the Commission has been	
		the Commission has been	actively involved from the start of	
		actively involved from the start of	the GMES initiative and has	
		the GMES initiative and has	supported developments for	
		supported developments for	Galileo and space weather. Under	
		Galileo and space weather. Under	Regulation (EU) No 377/2014;	
		Regulation (EU) No 377/2014;	the JRC is managing the	
		the JRC is managing the	Copernicus emergency	
		Copernicus emergency	management service and the	
		management service and the	global component of the	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		global component of the Copernicus land monitoring service; it is contributing to the review of the quality and fitness for purpose of productsdata and information, and to the future evolution. The Commission should continue relying on JRC's scientific and technical advice for the implementation of the Programme.	Copernicus land monitoring service; it is contributing to the review of the quality and fitness for purpose of data and information, and to the future evolution. The Commission should continue relying on JRC's scientific and technical advice for the implementation of the Programme.	
(62) Following the requests of the European Parliament and of the Council and, the Union established a support framework for space surveillance and tracking (SST) by means of Decision No 541/2014/EU of the European Parliament and of the Council of 16 April 2014 establishing a Framework for Space Surveillance and Tracking Support ⁵² . Space debris has become a serious threat to the security, safety and sustainability of space activities. The SST is therefore primordial to preserve	AMD 42 (62) Following the requests of the European Parliament and of the Council and, the Union established a support framework for space surveillance and tracking (SST) by means of Decision No 541/2014/EU of the European Parliament and of the Council ²⁴ . Space debris has become a serious threat to the security, safety and sustainability of space activities. The SST is therefore primordial to preserve the continuity of the Programme's components and their	(62) Following the requests of the European Parliament and of the Council and, the Union established a support framework for space surveillance and tracking (SST) by means of Decision No 541/2014/EU of the European Parliament and of the Council of 16 April 2014 establishing a Framework for Space Surveillance and Tracking Support ⁵³ . Space debris has become a serious threat to the security, safety and sustainability of space activities. The SST is therefore primordial to preserve	(62) Following the requests of the European Parliament and of the Council and, the Union established a support framework for space surveillance and tracking (SST) by means of Decision No 541/2014/EU of the European Parliament and of the Council of 16 April 2014 establishing a Framework for Space Surveillance and Tracking Support. Space debris has become a serious threat to the security, safety and sustainability of space activities. The SST is therefore primordial to preserve the continuity of the Programme's components and their	73

⁵² OJ L 158, 27.5.2014, p. 227.
⁵³ OJ L 158, 27.5.2014, p. 227.

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
the continuity of the Programme's components and their contributions to Union policies. By seeking to prevent the proliferation of space debris, SST contributes to ensuring the sustainable and guaranteed access to and use of space, which is a global common.	contributions to Union policies. By seeking to prevent the proliferation of space debris, SST contributes to ensuring the sustainable and guaranteed access to and use of space, which is a global common. The SST is intended also to facilitate the preparation of European earth orbit 'clean-up' projects. 24 Decision No 541/2014/EU of the European Parliament and of the Council of 16 April 2014 establishing a Framework for Space Surveillance and	the continuity of the Programme's components and their contributions to Union policies. By seeking to prevent the proliferation of space debris, SST contributes to ensuring the sustainable and guaranteed access to and use of space, which is a global common.	contributions to Union policies. By seeking to prevent the proliferation of space debris, SST contributes to ensuring the sustainable and guaranteed access to and use of space, which is a global common objective. In that context, it could support the preparation of European earth orbit 'clean-up' projects.	
(63) The SST should further develop the performance and autonomy of SST capabilities. To this end, it should lead to the establishment of an autonomous European catalogue of space objects, building on data from the network of SST sensors. The SST should also continue to support operation and delivery of SST services. As SST is a user-driven system, appropriate mechanisms should be put in place to collect user requirements, including	Tracking Support (OJ L 158, 27.5.2014, p. 227). AMD 43 (63) The SST should further develop the performance and autonomy of SST capabilities. To this end, it should lead to the establishment of an autonomous European catalogue of space objects, building on data from the network of SST sensors. The catalogue could follow the example of other space capable nations and make some of its data available for non-commercial and research	(63) The SST should further develop the performance and autonomy of SST capabilities. To this end, it should lead to the establishment of an autonomous European catalogue of space objects, building on data from the network of SST sensors. The SST should also continue to support operation and delivery of SST services. As SST is aservices are user-driven-system, appropriate mechanisms should be put in place to collect user	(63) The SST should further develop the performance and autonomy of SST capabilities. To this end, it should lead to the establishment of an autonomous European catalogue of space objects, building on data from the network of SST sensors. Where appropriate, the Union could consider making some of its data available for commercial, noncommercial and research purposes. The SST should also continue to support operation and	74

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
those relating to security.	purposes. SST should also	requirements, including those	delivery of SST services. As SST	- '
Ç	continue to support operation and	relating to security., while	services are user-driven,	
	delivery of SST services. As SST	respecting national safety and	appropriate mechanisms should	
	is a user-driven system,	security policies.	be put in place to collect user	
	appropriate mechanisms should		requirements, including those	
	be put in place to collect user		relating to security and the	
	requirements, including those		transmission of relevant	
	relating to security and the		information to and from public	
	transmission of relevant		institutions to improve the	
	information to and from public		effectiveness of the system, while	
	institutions to improve the		respecting national safety and	
	effectiveness of the system.		security policies.	
(64) The delivery of SST services		(64) The delivery of SST services	(64) The delivery of SST services	75
should be based on a cooperation		should be based on a cooperation	should be based on a cooperation	
between the Union and the		between the Union and the	between the Union and the	
Member States and on the use of		Member States and on the use of	Member States and on the use of	
existing as well as future national		existing as well as future national	existing as well as future national	
expertise and assets, including		expertise and assets, including	expertise and assets, including	
those developed through the		those developed through the	those developed through the	
European Space Agency or by the		European Space Agency or by the	European Space Agency or by the	
Union. It should be possible to		Union. It should be possible to	Union. It should be possible to	
provide financial support for the		provide financial support for the	provide financial support for the	
development of new SST sensors.		development of new SST sensors.	development of new SST sensors.	
Recognising the sensitive nature		Recognising the sensitive nature	Recognising the sensitive nature	
of the SST, the control over		of the SST, the control over	of the SST, the control over	
national sensors and their		national sensors and their	national sensors and their	
operations, maintenance and		operations, maintenance and	operations, maintenance and	
renewal and the processing of		renewal and the processing of	renewal and the processing of	
data leading to the provision of		data leading to the provision of	data leading to the provision of	
SST services should remain with		SST services should remain with	SST services should remain with	

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
the participating Member States.		the participating Member States.	the participating Member States.	
(65) Member States with		(65) Member States with	(65) Member States with	76
adequate ownership or access to		adequate ownership or access to	adequate ownership or access to	
SST capabilities should be able to		SST capabilities should be able to	SST capabilities should be able to	
participate in the delivery of the		participate in the delivery of the	participate in the delivery of the	
SST services. Participating		SST services. Participating	SST services. Participating	
Member States in the SST		Member States in the SST	Member States in the SST	
Consortium established under the		Consortium established under the	Consortium established under the	
Decision No 541/2014/EU should		Decision No 541/2014/EU should	Decision No 541/2014/EU should	
be deemed to comply with these		be deemed to comply with these	be deemed to comply with these	
criteria. Those Member States		criteria. Those Member States	criteria. Those Member States	
should submit a proposal and		should submit a single joint	should submit a single joint	
demonstrate compliance with		proposal and demonstrate	proposal and demonstrate	
further elements related to the		compliance with further elements	compliance with further elements	
operational set up. If no proposal		related to the operational set up.	related to the operational set up.	
is submitted these Member States		If no proposal is submitted these	Appropriate rules should be	
should be able to submit offers		Member States should be able to	established for the selection and	
covering a specific orbit regime		submit offers covering a specific	organisation of Member States	
for example Low Earth Orbit		orbit regime for example Low	participants.	
(LEO) regime and Medium Earth		Earth Orbit (LEO) regime and		
and Geostationary orbits (MEO		Medium Earth and Geostationary		
and GEO) regime respectively.		orbits (MEO and GEO) regime		
Appropriate rules should be		respectively. Appropriate rules		
established for the selection and		should be established for the		
organisation of Member States		selection and organisation of		
participants.		Member States participants.		

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(11211111111111111111111111111111111111		(65a) Implementing powers	(65a) Implementing powers	76a
		should be conferred on the	should be conferred on the	
		Commission to define the	Commission to define the	
		detailed procedures and	detailed procedures and elements	
		elements for establishing the	for establishing the participation	
		participation of Member States.	of Member States. Where no joint	
		Where no joint proposal has	proposal has been submitted or	
		been submitted or where the	where the Commission considers	
		Commission considers that	that such proposal does not	
		such proposal does not comply	comply with the criteria set, the	
		with the criteria set, the	Commission may launch a	
		Commission may launch a	second step for the participation	
		second step for the	of Member States. The	
		participation of Member States.	procedures and elements for that	
		The procedures and elements	second step should define the	
		for that second step should	orbits to be covered, and take into	
		define the orbits to be covered,	account the need to maximise the	
		and take into account the need	participation of Member States in	
		to maximise the participation of	the provision of SST services.	
		Member States in the provision	Where those procedures and	
		of SST services. Where those	elements foresee the possibility	
		procedures and elements	for the Commission to select	
		foresee the possibility for the	several proposals to cover all the	
		Commission to select several	orbits, appropriate coordination	
		proposals to cover all the	mechanisms between the groups	
		orbits, appropriate	of Member States and an efficient	
		coordination mechanisms	solution to cover all the SST	
		between the groups of Member	services should also be provided.	
		States and an efficient solution		
		to cover all the SST services		

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		should also be provided.		
(66) Once SST is set up, it should		(66) Once SST is set up, it should	(66) Once SST is set up, it should	77
respect the principles of		respect the principles of	respect the principles of	
complementarity of activities and		complementarity of activities and	complementarity of activities and	
continuity of high quality user-		continuity of high quality user-	continuity of high quality user-	
driven SST services, and be		driven SST services, and be	driven SST services, and be	
based on the best expertise. SST		based on the best expertise. SST	based on the best expertise. SST	
should therefore avoid		should therefore avoid	should therefore avoid	
unnecessary duplication. Any		unnecessary duplication. Any	unnecessary duplication.	
redundant capabilities should be		redundant Redundant capabilities	Redundant capabilities should	
strictly limited to ensure SST		should be strictly limited to	ensure SST services' continuity,	
services continuity and quality.		ensure SST services services'	quality and robustness. The	
The activities of the Expert		continuity-and, quality-and	activities of the Expert Teams	
Teams should help avoiding these		<u>robustness.</u> The activities of the	should help avoiding these	
unnecessary duplications.		Expert Teams should help	unnecessary duplications.	
		avoiding these unnecessary		
		duplications.		

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(67) In addition, the SST should	AMD 44	(67) In addition, the SST should	(67) In addition, the SST should	78
be complementary to existing	(67) In addition, the SST should	be complementaryconducive to	be conducive to existing	
mitigation measures, such as the	be complementary to existing	existing mitigation measures,	mitigation measures, such as the	
Space Debris Mitigation	mitigation measures, such as the	such as the COPUOS Space	COPUOS Space Debris	
Guidelines of the Committee on	Space Debris Mitigation	Debris Mitigation Guidelines of	Mitigation Guidelines and draft	
the Peaceful Uses of Outer Space	Guidelines of the Committee on	the Committee on the Peaceful	Guidelines for the Long-term	
(COPUOS) and Guidelines for	the Peaceful Uses of Outer Space	Uses of Outer Space (COPUOS)	Sustainability of Outer Space	
the Long-term Sustainability of	(COPUOS) and Guidelines for	and draft Guidelines for the	Activities, or other initiatives, to	
Outer Space Activities, or other	the Long-term Sustainability of	Long-term Sustainability of Outer	ensure the safety, security and	
initiatives, to ensure the safety,	Outer Space Activities, or other	Space Activities, or other	sustainability of outer space	
security and sustainability of	initiatives, to ensure the safety,	initiatives, to ensure the safety,	activities. With a view to	
outer space activities. With a	security and sustainability of	security and sustainability of	reducing risks of collision, the	
view to reducing risks of	outer space activities. With a	outer space activities. With a	SST would also seek synergies	
collision, the SST would also	view to reducing risks of	view to reducing risks of	with initiatives of active removal	
seek synergies with initiatives of	collision, the SST would also	collision, the SST would also	and passivation measures of	
active removal and passivation	seek synergies with initiatives	seek synergies with initiatives of	space debris. The SST should	
measures of space debris. The	aimed at promoting the	active removal and passivation	contribute to ensuring the	
SST should contribute to	development and deployment of	measures of space debris. The	peaceful use and exploration of	
ensuring the peaceful use and	technological systems designed	SST should contribute to	outer space. The increase in space	
exploration of outer space. The	for the active removal of space	ensuring the peaceful use and	activities may have implication	
increase in space activities may	debris. The SST should	exploration of outer space. The	on the international initiatives in	
have implication on the	contribute to ensuring the	increase in space activities may	the area of the space traffic	
international initiatives in the	peaceful use and exploration of	have implication on the	management. The Union should	
area of the space traffic	outer space. The increase in space	international initiatives in the	monitor those developments and	
management. The Union should	activities may have implication	area of the space traffic	may take them into consideration	
monitor those developments and	on the international initiatives in	management. The Union should	in the context of the mid-term	
may take them into consideration	the area of the space traffic	monitor those developments and	review of the current MFF.	
in the context of the mid-term	management. The Union should	may take them into consideration		
review of the current MFF.	monitor those developments and	in the context of the mid-term		
	may take them into consideration	review of the current MFF.		

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(400. 7070/10)	in the context of the mid-term			11
	review of the current MFF.			
(68) SST, space weather and		(68) SST, space weather and	(68) SST, space weather and	79
NEO should have regard to		NEO activities should have	NEO_activities should have	
cooperation with international		regard to cooperation with	regard to cooperation with	
partners, in particular the United		international partners, in	international partners, in	
States of America, international		particular the United States of	particular the United States of	
organisations and other third		America, international	America, international	
parties, particularly to avoid		organisations and other third	organisations and other third	
collisions in space, to prevent the		parties, particularly to avoid	parties, particularly to avoid	
proliferation of space debris and		collisions in space, to prevent the	collisions in space, to prevent the	
to increase preparedness to		proliferation of space debris and	proliferation of space debris and	
effects of extreme space weather		to increase preparedness to	to increase preparedness to	
events and near-Earth objects		effects of extreme space weather	effects of extreme space weather	
		events and near-Earth objects.	events and near-Earth objects.	
(69) The Security Committee of		(69) The Security Committee of	(69) The Security Committee of	80
the Council recommended the		the Council recommended the	the Council recommended the	
creation of a risk management		creation of a risk management	creation of a risk management	
structure to ensure that data		structure to ensure that data	structure to ensure that data	
security issues are duly taken into		security issues are duly taken into	security issues are duly taken into	
account in the implementation of		account in the implementation of	account in the implementation of	
Decision No 541/2014/EU. For		Decision No 541/2014/EU. For	Decision No 541/2014/EU. For	
that purpose and taking account		that purpose and taking account	that purpose and taking account	
of the work already performed,		of the work already performed,	of the work already performed,	
the appropriate risk management		the appropriate risk management	the appropriate risk management	
structures and procedures should		structures and procedures should	structures and procedures should	
be established by the		be established by the	be established by the	
participating Member States.		participating Member States.	participating Member States.	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(70) Extreme and major space	AMD 45	(70) Extreme and major space	(70) Extreme and major space	81
weather events may threaten the	(70) Extreme and major space	weather events may threaten the	weather events may threaten the	
safety of citizens and disrupt the	weather events may threaten the	safety of citizens and disrupt the	safety of citizens and disrupt the	
operations of space-based and	safety of citizens and disrupt the	operations of space-based and	operations of space-based and	
ground-based infrastructure. A	operations of space-based and	ground-based infrastructure. A	ground-based infrastructure. A	
space weather function should	ground-based infrastructure. A	space weather functionsub-	space weather sub-component	
therefore be established as part	space weather function should	component should therefore be	should therefore be established as	
the Programme with an aim of	therefore be established as part	established as part the	part the Programme with an aim	
assessing the space weather risks	the Programme with an aim of	Programme with an aim of	of assessing the space weather	
and corresponding user needs,	assessing the space weather risks	assessing the space weather risks	risks and corresponding user	
raising the awareness of space	and corresponding user needs,	and corresponding user needs,	needs, raising the awareness of	
weather risks, ensuring the	raising the awareness of space	raising the awareness of space	space weather risks, ensuring the	
delivery of user-driven space	weather risks, ensuring the	weather risks, ensuring the	delivery of user-driven space	
weather services, and improving	delivery of user-driven space	delivery of user-driven space	weather services, and improving	
Member Stares capabilities to	weather services, and improving	weather services, and improving	Member States' capabilities to	
produce space weather service.	Member <i>States'</i> capabilities to	Member Stares capabilities to	produce space weather service.	
The Commission should prioritise	produce space weather service.	produce space weather service.	The Commission should prioritise	
the sectors to which the	The Commission should prioritise	The Commission should prioritise	the sectors to which the	
operational space weather	the sectors to which the	the sectors to which the	operational space weather	
services are to be provided taking	operational space weather	operational space weather	services are to be provided taking	
into account the user needs, risks	services are to be provided taking	services are to be provided taking	into account the user needs, risks	
and technological readiness. In	into account the user needs, risks	into account the user needs, risks	and technological readiness. In	
the long term, the needs of other	and technological readiness. In	and technological readiness. In	the long term, the needs of other	
sectors may be addressed. The	the long term, the needs of other	the long term, the needs of other	sectors may be addressed. The	
delivery of services at Union	sectors may be addressed. The	sectors may be addressed. The	delivery of services at Union	
level according to the users'	delivery of services at Union	delivery of services at Union	level according to the users'	
needs will require targeted,	level according to the users'	level according to the users'	needs will require targeted,	
coordinated and continued	needs will require targeted,	needs will require targeted,	coordinated and continued	
research and development	coordinated and continued	coordinated and continued	research and development	
activities to support space	research and development	research and development	activities to support space	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
weather services evolution. The	activities to support space	activities to support space	weather services evolution. The	
delivery of the space weather	weather services evolution. The	weather services evolution. The	delivery of the space weather	
services should build on the	delivery of the space weather	delivery of the space weather	services should build on the	
existing national and Union	services should build on the	services should build on the	existing national and Union	
capabilities and enable a broad	existing national and Union	existing national and Union	capabilities and enable a broad	
participation of Member States	capabilities and enable a broad	capabilities and enable a broad	participation of Member States,	
and involvement of the private	participation of Member States,	participation of Member States ₂	European and international	
sector.	international organisations and	European and international	organisations, and involvement of	
	involvement of the private sector.	organisations, and involvement	the private sector.	
		of the private sector.		
(71) The Commission White		(71) The Commission White	(71) The Commission White	82
Paper on the future of Europe ⁵⁴ ,		Paper on the future of Europe ⁵⁶ ,	Paper on the future of Europe ⁵⁸ ,	
the Rome Declaration of the		the Rome Declaration of the	the Rome Declaration of the	
Heads of State and Government		Heads of State and Government	Heads of State and Government	
of 27 EU Member States ⁵⁵ , and		of 27 EU Member States ⁵⁷ , and	of 27 EU Member States ⁵⁹ , and	
several European Parliament		several European Parliament	several European Parliament	
resolutions, recall that the EU has		resolutions, recall that the EU has	resolutions, recall that the EU has	
a major role to play in ensuring a		a major role to play in ensuring a	a major role to play in ensuring a	
safe, secure and resilient Europe		safe, secure and resilient Europe	safe, secure and resilient Europe	
that is capable to address		that is capable to address	that is capable to address	
challenges such as regional		challenges such as regional	challenges such as regional	
conflicts, terrorism, cyber threats,		conflicts, terrorism, cyber threats,	conflicts, terrorism, cyber threats,	
and growing migration pressures.		and growing migration pressures.	and growing migration pressures.	

https://ec.europa.eu/commission/sites/beta-political/files/white_paper_on_the_future_of_europe_en.pdf

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/intm/146072.pdf

https://ec.europa.eu/commission/sites/beta-political/files/white_paper_on_the_future_of_europe_en.pdf

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/intm/146072.pdf

https://ec.europa.eu/commission/sites/beta-political/files/white_paper_on_the_future_of_europe_en.pdf

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/intm/146072.pdf

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
Secure and guaranteed access to		Secure and guaranteed access to	Secure and guaranteed access to	
satellite communications is an		satellite communications is an	satellite communications is an	
indispensable tool for security		indispensable tool for security	indispensable tool for security	
actors, and pooling and sharing of		actors, and pooling and sharing of	actors, and pooling and sharing of	
this key security resource at		this key security resource at	this key security resource at	
Union level strengthens a Union		Union level strengthens a Union	Union level strengthens a Union	
that protects its citizens.		that protects its citizens.	that protects its citizens.	
(72) The European Council of 19-		(72) The European Council of 19-	(72) The European Council of 19-	83
20 December 2013 ⁶⁰ in its		20 December 2013 ⁶¹ in its	20 December 2013 ⁶² in its	
conclusions welcomed in the area		conclusions welcomed in the area	conclusions welcomed in the area	
of Satellite Communication the		of Satellite Communication the	of Satellite Communication the	
preparations for the next		preparations for the next	preparations for the next	
generation of Governmental		generation of Governmental	generation of Governmental	
Satellite Communication		Satellite Communication	Satellite Communication	
(GOVSATCOM) through close		(GOVSATCOM) through close	(GOVSATCOM) through close	
cooperation between the Member		cooperation between the Member	cooperation between the Member	
States, the Commission and the		States, the Commission and the	States, the Commission and the	
European Space Agency.		European Space Agency.	European Space Agency.	
GOVSATCOM has also been		GOVSATCOM has also been	GOVSATCOM has also been	
identified as one of the elements		identified as one of the elements	identified as one of the elements	
of the Global Strategy for the		of the Global Strategy for the	of the Global Strategy for the	
European Union's Foreign and		European Union's Foreign and	European Union's Foreign and	
Security Policy of June 2016.		Security Policy of June 2016.	Security Policy of June 2016.	
GOVSATCOM should contribute		GOVSATCOM should contribute	GOVSATCOM should contribute	
to the EU response to Hybrid		to the EU response to Hybrid	to the EU response to Hybrid	
Threats, provide support to the U		Threats, provide support to the	Threats, provide support to the	

60

EUCO 217/13

⁶¹ EUCO 217/13

⁶² EUCO 217/13

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
Maritime Strategy and to the EU		EU Maritime Strategy and to the	EU Maritime Strategy and to the	
Arctic Policy.		EU Arctic Policy.	EU Arctic Policy.	
(73) GOVSATCOM is a user-	AMD 46	(73) GOVSATCOM is a user-	(73) GOVSATCOM is a user-	84
centric programme with a strong	(73) GOVSATCOM is a user-	centric programme with a strong	centric programme with a strong	
security dimension. The use-	centric programme with a strong	security dimension. The use-	security dimension. The use-	
cases may be analysed for three	security dimension. The use-	cases may be analysed by the	cases may be analysed by the	
main families: crisis	cases may be analysed for three	relevant actors for three main	relevant actors for three main	
management, which may include	main families: crisis	families: <u>i)</u> crisis management,	families: i) crisis management,	
civilian and military Common	management, natural and man-	which may include civilian and	which may include civilian and	
Security and Defence missions	made disasters, humanitarian	military Common Security and	military Common Security and	
and operations, natural and man-	crises, and maritime emergencies;	Defence missions and operations,	Defence missions and operations,	
made disasters, humanitarian	surveillance, which may include	natural and man-made disasters,	natural and man-made disasters,	
crises, and maritime emergencies;	border surveillance, pre-frontier	humanitarian crises, and maritime	humanitarian crises, and maritime	
surveillance, which may include	surveillance sea-border	emergencies; <u>ii)</u> surveillance,	emergencies; ii) surveillance,	
border surveillance, pre-frontier	surveillance, maritime	which may include border	which may include border	
surveillance sea-border	surveillance, surveillance of	surveillance, pre-frontier	surveillance, pre-frontier	
surveillance, maritime	illegal trafficking; and key	surveillance sea-border	surveillance sea-border	
surveillance, surveillance of	infrastructures, which may	surveillance, maritime	surveillance, maritime	
illegal trafficking; and key	include diplomatic network,	surveillance, surveillance of	surveillance, surveillance of	
infrastructures, which may	police communications, digital	illegal trafficking; and <u>iii)</u> key	illegal trafficking; and iii) key	
include diplomatic network,	infrastructure (e. g. data	infrastructures, which may	infrastructures, which may	
police communications, critical	centres, servers), critical	include diplomatic network, police communications, critical	include diplomatic network, police communications, digital	
infrastructures (e.g. energy,	infrastructures (e.g. energy,	<u> </u>	-	
transport, water barriers) and space infrastructures.	transport, water barriers <i>such as dams</i>) and space infrastructures.	infrastructures (e.g. energy, transport, water barriers) and	infrastructure (e. g. data centres, servers), critical infrastructures	
space ilii astructures.	dums) and space infrastructures.	space infrastructures.	(e.g. energy, transport, water	
		space infrastructures.	barriers such as dams) and space	
			, , , , , , , , , , , , , , , , , , ,	
			infrastructures.	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(40007070,120)		(73a) GOVSATCOM capacity	(73a) GOVSATCOM capacity	84a
		and services will be used in	and services will be used in	
		security and safety critical	security and safety critical	
		missions and operations by	missions and operations by Union	
		Union and Member State	and Member State actors.	
		actors. Therefore an	Therefore an appropriate level of	
		appropriate level of non-	non-dependence from third	
		dependence from third parties	parties (third states and entities	
		(third states and entities from	from third states) is needed,	
		third states) is needed, covering	covering all GOVSATCOM	
		all GOVSATCOM elements,	elements, such as space and	
		such as space and ground	ground technologies at	
		technologies at component,	component, subsystem and	
		subsystem and system level,	system level, manufacturing	
		manufacturing industries,	industries, owners and operators	
		owners and operators of space	of space systems, physical	
		systems, physical location of	location of ground system	
		ground system components.	components.	
(74) Satellite communications is		(74) Satellite communications is	(74) Satellite communications is	85
a finite resource limited by the		a finite resource limited by the	a finite resource limited by the	
satellite capacity, frequency and		satellite capacity, frequency and	satellite capacity, frequency and	
geographic coverage. Therefore,		geographic coverage. Therefore,	geographic coverage. Therefore,	
in order to be cost-effective and		in order to be cost-effective and	in order to be cost-effective and	
to capitalise on economies of		to capitalise on economies of	to capitalise on economies of	
scale, GOVSATCOM needs to		scale, GOVSATCOM needs to	scale, GOVSATCOM needs to	
optimise the match between the		optimise the match between the	optimise the match between the	
GOVSATCOM demand by		GOVSATCOM demand by	GOVSATCOM demand by	
authorised users, and the supply		authorised users, and the supply	authorised users, and the supply	
provided under GOVSATCOM		provided under GOVSATCOM	provided under GOVSATCOM	
contracts for satellite capacities		contracts for satellite capacities	contracts for satellite capacities	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
and services. Since the demand		and services. Since the demand	and services. Since the demand	
and the potential supply both		and the potential supply both	and the potential supply both	
change with time, this requires		change with time, this requires	change with time, this requires	
constant monitoring and		constant monitoring and	constant monitoring and	
flexibility to adjust		flexibility to adjust	flexibility to adjust	
GOVSATCOM services.		GOVSATCOM services.	GOVSATCOM services.	
Economies of scale can only be		Economies of scale can only be		
achieved for a sufficiently large		achieved for a sufficiently large		
pool of capacities and services		pool of capacities and services		
and user base.		and user base.		
(75) Operational requirements		(75) Operational requirements	(75) Operational requirements	86
will be derived on the basis of the		will be derived on the basis of the	will be derived on the basis of the	
use-case analysis. From those		use-case analysis. From those	use-case analysis. From those	
operational requirements, in		operational requirements, in	operational requirements, in	
combination with security		combination with security	combination with security	
requirements, the service		requirements, the service	requirements, the service	
portfolio should be developed.		portfolio should be developed.	portfolio should be developed.	
The service portfolio should		The service portfolio should	The service portfolio should	
establish the applicable baseline		establish the applicable baseline	establish the applicable baseline	
for the services to be provided		for the services to be provided	for the services to be provided	
through GOVSATCOM. In order		through GOVSATCOM. In order	through GOVSATCOM. In order	
to maintain the best possible		to maintain the best possible	to maintain the best possible	
match between the demand and		match between the demand and	match between the demand and	
supplied services, the		supplied services, the	supplied services, the	
GOVSATCOM service portfolio		GOVSATCOM service portfolio	GOVSATCOM service portfolio	
may need to be regularly updated.		may need to be regularly updated.	may need to be regularly updated.	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(76) In the first phase of		(76) In the first phase of	(76) In the first phase of	87
GOVSATCOM (roughly until		GOVSATCOM (roughly until	GOVSATCOM (roughly until	
2025) existing capacity from		2025) existing capacity will be	2025) existing capacity will be	
private actors and Member States		used. In that context, the	used. In that context, the	
will be used. In this first phase		Commission should procure EU	Commission should procure EU	
services will be introduced in a		GOVSATCOM capacities from	GOVSATCOM capacities from	
stepped approach, first to Union-		private actors and Member States	Member States with national	
level users. If in the course of the		will be used. with national	systems and space capacities and	
first phase a detailed analysis of		systems and space capacities	from Union commercial satellite	
future supply and demand reveals		and from Union commercial	communication or service	
that this approach is insufficient		satellite communication or	providers, taking into account the	
to cover the evolving demand, the		service providers. In this first	essential security interests of the	
decision may be taken to move to		phase services will be introduced	Union. In this first phase services	
a second phase and develop		in a stepped approach , first to	will be introduced in a stepped	
additional bespoke space		Union-level users. If in the course	approach. If in the course of the	
infrastructure or capabilities		of the first phase a detailed	first phase a detailed analysis of	
through one or several public-		analysis of future supply and	future supply and demand reveals	
private partnerships, e.g. with		demand reveals that this approach	that this approach is insufficient	
Union satellite operators.		is insufficient to cover the	to cover the evolving demand, the	
		evolving demand, the decision	decision may be taken to move to	
		may be taken to move to a second	a second phase and develop	
		phase and develop additional	additional bespoke space	
		bespoke space infrastructure or	infrastructure or capabilities	
		capabilities through one or	through one or several public-	
		several public-private	private partnerships, e.g. with	
		partnerships, e.g. with Union	Union satellite operators.	
		satellite operators.		

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(doc. 9898/18) (77) In order to optimise the available satellite communication resources, to guarantee access in unpredictable situations, such as natural disasters, and to ensure operational efficiency and short turn-around times, one or two GOVSATCOM Hubs are required. The ground segment should be designed on the basis of operational and security requirements. In order to mitigate risks it may consist of several physical sites. Additional ground		(77) In order to optimise the available satellite communication resources, to guarantee access in unpredictable situations, such as natural disasters, and to ensure operational efficiency and short turn-around times, one or two GOVSATCOM the necessary ground segment (Hubs areand potential other ground elements) is required. The ground segment latter should be designed on the basis of operational and security	(77) In order to optimise the available satellite communication resources, to guarantee access in unpredictable situations, such as natural disasters, and to ensure operational efficiency and short turn-around times, the necessary ground segment (Hubs and potential other ground elements) is required. The latter should be designed on the basis of operational and security requirements. In order to mitigate risks the Hub may consist of	88 88
segment elements, such as anchoring stations, may be needed.		requirements. In order to mitigate risks ithe Hub may consist of several physical sites. Additional Other ground segment elements, such as anchoring stations, may be needed.	several physical sites. Other ground segment elements, such as anchoring stations, may be needed.	
(78) For users of satellite communications the user equipment is the all-important operational interface. The EU GOVSATCOM approach makes it possible for most users to continue to use their existing user equipment for GOVSATCOM	AMD 47 (78) For users of satellite communications the user equipment is the all-important operational interface. The EU GOVSATCOM approach <i>should make</i> it possible for users to continue to use their existing user	(78) For users of satellite communications the user equipment is the all-important operational interface. The EU GOVSATCOM approach makes it possible for most users to continue to use their existing user equipment for GOVSATCOM	(78) For users of satellite communications the user equipment is the all-important operational interface. The EU GOVSATCOM approach should makes it possible for most users to continue to use their existing user equipment for	89

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
services in so far as they make	equipment for GOVSATCOM	services in so far as they make	GOVSATCOM services.	
use of Union technologies.	services.	use of Union ⁶³ technologies.		
(79) In the interest of operational		(79) In the interest of operational	(79) In the interest of operational	90
efficiency users have indicated		efficiency users have indicated	efficiency users have indicated	
that it is important to aim for		that it is important to aim for	that it is important to aim for	
interoperability of user		interoperability of user	interoperability of user	
equipment, and user equipment		equipment, and user equipment	equipment, and user equipment	
that can make use of different		that can make use of different	that can make use of different	
satellite systems. Research and		satellite systems. Research and	satellite systems. Research and	
development in this domain may		development in this domain may	development in this domain may	
be required.		be required.	be required.	
(80) At implementation level the		(80) At implementation level the	(80) At implementation level the	91
tasks and responsibilities should		tasks and responsibilities should	tasks and responsibilities should	
be distributed amongst		be distributed amongst	be distributed amongst	
specialised entities, such as the		specialised entities, such as the	specialised entities, such as the	
European Defence Agency, the		European Defence Agency, the	European Defence Agency, the	
EEAS, the European Space		EEAS, the European Space	EEAS, the European Space	
Agency, the Agency, and other		Agency, the Agency, and other	Agency, the Agency, and other	
Union agencies in such a manner		Union agencies in such a manner	Union agencies in such a manner	
to ensure that they align with		to ensure that they align with	to ensure that they align with	
their principal role, especially for		their principal role, especially for	their principal role, especially for	
user related aspects.		user related aspects.	user related aspects.	
F		r	T	

⁶³ It is suggested to replace "Union" by "European".

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
(81) The competent		(81) The competent	(81) The competent	92
GOVSATCOM authority has an		GOVSATCOM authority has an	GOVSATCOM authority has an	
important role to monitor that		important role to monitor that	important role to monitor that	
users, and other national entities		users, and other national entities	users, and other national entities	
that play a role in		that play a role in	that play a role in	
GOVSATCOM, comply with the		GOVSATCOM, comply with the	GOVSATCOM, comply with the	
sharing and prioritisation rules		sharing and prioritisation rules	sharing and prioritisation rules	
and security procedures as laid		and security procedures as laid	and security procedures as laid	
down in the security		down in the security	down in the security	
requirements. A Member State		requirements. A Member State	requirements. A Member State	
which has not designated a		which has not designated a	which has not designated a	
competent GOVSATCOM		competent GOVSATCOM	competent GOVSATCOM	
authority should in any event		authority should in any event	authority should in any event	
designate a point of contact for		designate a point of contact for	designate a point of contact for	
the management of any detected		the management of any detected	the management of any detected	
jamming affecting		jamming affecting	jamming affecting	
GOVSATCOM.		GOVSATCOM.	GOVSATCOM.	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		(81a) Member States, the	(81a) Member States, the	92a
		Council, the Commission and	Council, the Commission and the	
		the EEAS may become	EEAS may become	
		GOVSATCOM participants,	GOVSATCOM participants,	
		insofar as they choose to	insofar as they choose to	
		authorise GOVSATCOM users	authorise GOVSATCOM users or	
		or provide capacities, sites or	provide capacities, sites or	
		facilities. Considering that it is	facilities. Considering that it is a	
		a Member State's choice	Member State's choice whether	
		whether they authorise	they authorise GOVSATCOM	
		GOVSATCOM users or	users or provide capacities, sites	
		provide capacities, sites or	or facilities, Member States	
		<u>facilities, Member States</u>	cannot be obliged to become	
		cannot be obliged to become	GOVSATCOM participants or to	
		GOVSATCOM participants or	host GOVSATCOM	
		to host GOVSATCOM	infrastructure. The	
		infrastructure. The	GOVSATCOM component of the	
		GOVSATCOM component of	Programme is therefore without	
		the Programme is therefore	prejudice to the right of Member	
		without prejudice to the right	States not to participate in	
		of Member States not to	GOVSATCOM, including in	
		participate in GOVSATCOM,	accordance with its national law	
		including in accordance with its	or constitutional requirements in	
		national law or constitutional	relation to policies concerning	
		requirements in relation to	non-alignment and non-	
		policies concerning non-	participation in military alliances.	
		alignment and non-		
		participation in military		
		alliances.		

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
	EP TEXT	(82) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers regarding operational requirements for services provided under GOVSATCOM should be conferred on the Commission. It will give the possibility to the Commission to define technical specifications for use-cases related to crisis management, surveillance and	(82) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers regarding operational requirements for services provided under GOVSATCOM should be conferred on the Commission. It will give the possibility to the Commission to define technical specifications for use-cases related to crisis management, surveillance and	
key infrastructure management, including diplomatic communication networks. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.		key infrastructure management, including diplomatic communication networks. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.	key infrastructure management, including diplomatic communication networks. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(83) In order to ensure uniform		(83) In order to ensure uniform	(83) In order to ensure uniform	94
conditions for the implementation		conditions for the implementation	conditions for the implementation	
of this Regulation, implementing		of this Regulation, implementing	of this Regulation, implementing	
powers regarding the service		powers regarding the service	powers regarding the service	
portfolio for services provided		portfolio for services provided	portfolio for services provided	
under GOVSATCOM, should be		under GOVSATCOM, should be	under GOVSATCOM, should be	
conferred on the Commission. It		conferred on the Commission. It	conferred on the Commission. It	
will give the possibility to the		will give the possibility to the	will give the possibility to the	
Commission to define attributes,		Commission to define attributes,	Commission to define attributes,	
including geographic coverage,		including geographic coverage,	including geographic coverage,	
frequency, bandwidth, user		frequency, bandwidth, user	frequency, bandwidth, user	
equipment, and security features.		equipment, and security features.	equipment, and security features.	
Those powers should be		Those powers should be	Those powers should be	
exercised in accordance with		exercised in accordance with	exercised in accordance with	
Regulation (EU) No 182/2011.		Regulation (EU) No 182/2011.	Regulation (EU) No 182/2011.	
(84) In order to ensure uniform		(84) In order to ensure uniform	(84) In order to ensure uniform	95
conditions for the implementation		conditions for the implementation	conditions for the implementation	
of this Regulation, implementing		of this Regulation, implementing	of this Regulation, implementing	
powers regarding the sharing and		powers regarding the sharing and	powers regarding the sharing and	
prioritisation rules for the use of		prioritisation rules for the use of	prioritisation rules for the use of	
pooled GOVSATCOM satellite		pooled GOVSATCOM satellite	pooled GOVSATCOM satellite	
communication capacities, should		communication capacities, should	communication capacities, should	
be conferred on the Commission.		be conferred on the Commission.	be conferred on the Commission.	
It will give the possibility to the		It will give When defining the	When defining the sharing and	
Commission take into account the		possibility to sharing and	prioritisation rules, the	
operational and security		prioritisation rules, the	Commission should take into	
requirements and an analysis of		Commission should take into	account the operational and	
risks and expected demand by		account the operational and	security requirements and an	
GOVSATCOM participants.		security requirements and an	analysis of risks and expected	
Those powers should be		analysis of risks and expected	demand by GOVSATCOM	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
exercised in accordance with		demand by GOVSATCOM	participants. Although	
Regulation (EU) No 182/2011.		participants. Although	GOVSATCOM services should	
		GOVSATCOM services should	in principle be provided on a	
		in principle be provided on a	free-of-charge basis to	
		<u>free-of-charge basis to</u>	GOVSATCOM users, if that	
		GOVSATCOM users, if that	analysis concludes on a shortage	
		analysis concludes on a	of capacities and in order to avoid	
		shortage of capacities, a pricing	a distorsion of the market, a	
		policy might be developed as	pricing policy might be	
		part of those detailed rules on	developed as part of those	
		sharing and prioritisation.	detailed rules on sharing and	
		Those powers should be	prioritisation. Those powers	
		exercised in accordance with	should be exercised in	
		Regulation (EU) No 182/2011.	accordance with Regulation (EU)	
			No 182/2011.	
(85) In order to ensure uniform		(85) In order to ensure uniform	(85) In order to ensure uniform	96
conditions for the implementation		conditions for the implementation	conditions for the implementation	
of this Regulation, implementing		of this Regulation, implementing	of this Regulation, implementing	
powers regarding the location of		powers regarding the location of	powers regarding the location of	
the ground segment infrastructure		the ground segment infrastructure	the ground segment infrastructure	
for GOVSATCOM, should be		for GOVSATCOM, should be	for GOVSATCOM, should be	
conferred on the Commission. It		conferred on the Commission. It	conferred on the Commission. It	
will give the possibility to the		will give the possibility to the	will give the possibility to the	
Commission take into account the		Commission take into account the	Commission take into account the	
operational and security		operational and security	operational and security	
requirements for the selection of		requirements, as well as existing	requirements, as well as existing	
such locations. Those powers		<u>infrastructure</u> for the selection	infrastructure for the selection of	
should be exercised in		of such locations. Those powers	such locations. Those powers	
accordance with Regulation (EU)		should be exercised in	should be exercised in	
No 182/2011 of the European		accordance with Regulation (EU)	accordance with Regulation (EU)	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
Parliament and of the Council.		No 182/2011 of the European	No 182/2011 of the European	
		Parliament and of the Council.	Parliament and of the Council.	
(86) Infrastructure dedicated to	AMD 48	Moved to (10b) - see row 21c	Moved to (10b) - see row 21c (no	97
the Programme may require	(86) Infrastructure dedicated to		<u>text here)</u>	
additional research and	the Programme may require			
innovation, which may be	additional research and			
supported under Horizon Europe,	innovation, which may be			
aiming for coherence with	supported under Horizon Europe,			
activities in this domain by the	aiming for coherence with			
European Space Agency.	activities in this domain by the			
Synergies with Horizon Europe	European Space Agency.			
should ensure that research and	Synergies with Horizon Europe			
innovation needs of the space	should ensure that research and			
sector are identified and	innovation needs of the space			
established as part of the strategic	sector are identified and			
research and innovation planning	established as part of the strategic			
process. Space data and services	research and innovation planning			
made freely available by the	process. It is important to assure			
Programme will be used to	continuity between the solutions			
develop breakthrough solutions	developed through Horizon			
through research and innovation,	Europe and the operations of			
including in Horizon Europe, in	the components of the			
particular for sustainable food	Programme. Space data and			
and natural resources, climate	services made freely available by			
monitoring, smart cities,	the Programme will be used to			
automated vehicles, security and	develop breakthrough solutions			
disaster management. The	through research and innovation,			
strategic planning process under	including in Horizon Europe, on			
Horizon Europe will identify	the main European policies. The			
research and innovation activities	strategic planning process under			

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
that should make use of Union-	Horizon Europe will identify			
owned infrastructures such as	research and innovation activities			
Galileo, EGNOS and Copernicus.	that should make use of Union-			
Research infrastructures, in	owned infrastructures such as			
particular in situ observing	Galileo, EGNOS and Copernicus.			
networks will constitute essential	Research infrastructures, in			
elements of the in situ	particular in situ observing			
observation infrastructure	networks will constitute essential			
enabling the Copernicus services.	elements of the in situ			
	observation infrastructure			
	enabling the Copernicus services.			
(87) Regulation (EU)	AMD 49	(87) Regulation (EU)	(87) Regulation (EU)	98
No 912/2010 established a Union	(87) Regulation (EU) No	No 912/2010 established a Union	No 912/2010 established a Union	
agency, called the European	912/2010 established a Union	agency, called the European	agency, called the European	
GNSS Agency, to manage certain	agency, called the European	GNSS Agency, to manage certain	GNSS Agency, to manage certain	
aspects of the Galileo and	GNSS Agency, to manage certain	aspects of the Galileo and	aspects of the Galileo and	
EGNOS satellite navigation	aspects of the Galileo and	EGNOS satellite navigation	EGNOS satellite navigation	
programmes. The present	EGNOS satellite navigation	programmes. The present	programmes. The present	
Regulation provides in particular	programmes. The present	Regulation provides in particular	Regulation provides in particular	
that the European GNSS Agency	Regulation provides in particular	that the European GNSS Agency	that the European GNSS Agency	
will be entrusted with new tasks,	that the European GNSS Agency	will be entrusted with new tasks,	will be entrusted with new tasks,	
not only in respect of Galileo and	will be entrusted with new tasks,	not only in respect of Galileo and	not only in respect of Galileo and	
EGNOS but also for other	not only in respect of Galileo and	EGNOS but also for other	EGNOS but also for other	
components of the Programme,	EGNOS but also for other	components of the Programme,	components of the Programme,	
especially security accreditation.	components of the Programme,	especially security accreditation.	especially security accreditation.	
The name, tasks and	especially security accreditation	The name, tasks and	The name, tasks and	
organisational aspects of the	and cybersecurity. The name,	organisational aspects of the	organisational aspects of the	
European GNSS Agency must	tasks and organisational aspects	European GNSS Agency must	European GNSS Agency must	
therefore be adapted accordingly.	of the European GNSS Agency	therefore be adapted accordingly.	therefore be adapted accordingly.	
	must therefore be adapted			

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
	accordingly.			
		(87a) The seat of the Agency is	(87a) The seat of the Agency is	98a
		located in Prague in accordance	located in Prague in accordance	
		with Decision 2010/803/EU. For	with Decision 2010/803/EU. For	
		the implementation of the	the implementation of the	
		Agency's tasks, staff of the	Agency's tasks, staff of the	
		Agency might be located in one	Agency might be located in one	
		of the Galileo or EGNOS	of the Galileo or EGNOS ground	
		ground based centres referred	based centres referred to in	
		to in Commission	Commission Implementing	
		Implementing Decision (EU)	Decision (EU) 2016/413 to	
		2016/413 to execute Programme	execute Programme activities	
		activities provided for in the	provided for in the relevant	
		relevant agreement. In	agreement. In addition, for the	
		addition, for the Agency to	Agency to operate in the most	
		operate in the most efficient	efficient and effective manner, a	
		and effective manner, a limited	limited number of staff could be	
		number of staff could be	assigned to local offices in one or	
		assigned to local offices in one	more Member States. The	
		or more Member States. The	location of staff outside the seat	
		<u>location of staff outside the seat</u>	of the Agency or Galileo and	
		of the Agency or Galileo and	EGNOS sites should not lead to	
		EGNOS sites should not lead to	transfer of core of the Agency's	
		transfer of core of the Agency's	activities to such local offices.	
		activities to such local offices.		

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(88) In view of its extended scope, which will no longer be limited to Galileo and EGNOS, the European GNSS Agency should henceforth be changed. However, the continuity of the activities of the European GNSS Agency, including continuity as regards rights and obligations, staff and the validity of any decisions taken, should be ensured under the Agency.	AMD 50 (88) In view of its extended scope, which will no longer be limited to Galileo and EGNOS, the European GNSS Agency should henceforth be changed. Where it entrusts tasks to the Agency, the Commission should ensure appropriate funding for the management and execution of those tasks, including adequate human and financial resources. However, the continuity of the activities of the European GNSS Agency, including continuity as regards rights and obligations, staff and the validity of any decisions taken, should be ensured under the Agency.	(88) In view of its extended scope, which will no longer be limited to Galileo and EGNOS, the <u>name of the</u> European GNSS Agency should henceforth be changed. However, the continuity of the activities of the European GNSS Agency, including continuity as regards rights and obligations, staff and the validity of any decisions taken, should be ensured under the Agency	(88) In view of its extended scope, which will no longer be limited to Galileo and EGNOS, the name of the European GNSS Agency should henceforth be changed. However, the continuity of the activities of the European GNSS Agency, including continuity as regards rights and obligations, staff and the validity of any decisions taken, should be ensured under the Agency.	99
(89) Given the Agency's mandate and the role of the Commission in implementing the Programme, it is appropriate to provide that some of the decisions taken by the Administrative Board should not be adopted without the favourable vote of the representatives of the Commission.		(89) Given the Agency's mandate and the role of the Commission in implementing the Programme, it is appropriate to provide that some of the decisions taken by the Administrative Board should not be adopted without the favourable vote of the representatives of the Commission.	(89) Given the Agency's mandate and the role of the Commission in implementing the Programme, it is appropriate to provide that some of the decisions taken by the Administrative Board should not be adopted without the favourable vote of the representatives of the Commission.	100

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
(90) Without prejudice to the		(90) Without prejudice to the	(90) Without prejudice to the	101
powers of the Commission, the		powers of the Commission, the	powers of the Commission, the	
Administrative Board, the		Administrative Board, the	Administrative Board, the	
Security Accreditation Board and		Security Accreditation Board and	Security Accreditation Board and	
the Executive Director shall be		the Executive Director shall be	the Executive Director shall be	
independent in the performance		independent in the performance	independent in the performance	
of their duties and shall act in the		of their duties and shall act in the	of their duties and shall act in the	
public interest.		public interest.	public interest.	
(91) It is possible, and indeed		(91) It is possible, and indeed	(91) It is possible, and indeed	102
probable, that some components		probable, that some components	probable, that some components	
of the Programme will be based		of the Programme will be based	of the Programme will be based	
on the use of sensitive or		on the use of sensitive or	on the use of sensitive or	
security-related national		security-related national	security-related national	
infrastructure. In this case, for		infrastructure. In this case, for	infrastructure. In this case, for	
reasons of national security, it is		reasons of national security, it is	reasons of national security, it is	
necessary to stipulate that		necessary to stipulate that	necessary to stipulate that	
meetings of the Administrative		meetings of the Administrative	meetings of the Administrative	
Board and Security Accreditation		Board and Security Accreditation	Board and Security Accreditation	
Board be attended only by the		Board be attended only by the	Board be attended by the	
representatives of the Member		representatives of the Member	representatives of the Member	
States which possess such		States which possess such	States and the representatives of	
infrastructure.		infrastructure. The rules of	the Commission, on a need to	
		procedure of the	know basis. In the Administrative	
		Administrative Board and of	Board, only those representatives	
		the Security Accreditation	of Member States which possess	
		Board should set out the	such infrastructure and a	
		situations in which this	representative of the Commission	
		procedure applies.	are to take part in voting. The	
			rules of procedure of the	
			Administrative Board and of the	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
			Security Accreditation Board should set out the situations in which this procedure applies.	
(92) To encourage the widest possible use of the services offered by the Programme, it would be useful to stress that data, information and services are provided without guarantee.		Moved to (11a) - see row 22a	OK no text here	103
(93) It should be confirmed that the Commission, in performing certain of its tasks of a non-regulatory nature, may have recourse, as required and insofar as necessary, to the technical assistance of certain external parties. Other entities involved in the public governance of the Programme may also make use of the same technical assistance in performing tasks entrusted to them under this Regulation.		Moved to (11b) - see row 22b	OK no text here	104

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
(94) Pursuant to paragraphs 22		(94) Pursuant to paragraphs 22	(94) Pursuant to paragraphs 22	105
and 23 of the Inter-Institutional		and 23 of the Inter-Institutional	and 23 of the Inter-Institutional	
agreement on Better Law-Making		agreement on Better Law-Making	agreement on Better Law-Making	
of 13 April 2016, there is a need		of 13 April 2016, there is a need	of 13 April 2016, there is a need	
to evaluate the Programme on the		to evaluate the Programme on the	to evaluate the Programme on the	
basis of information collected		basis of information collected	basis of information collected	
through specific monitoring		through specific monitoring	through specific monitoring	
requirements, while avoiding		requirements, while avoiding	requirements, while avoiding	
overregulation and administrative		overregulation and administrative	overregulation and administrative	
burdens, in particular on Member		burdens, in particular on Member	burdens, in particular on Member	
States. These requirements can,		States. These requirements can,	States. These requirements can,	
where appropriate, include		where appropriate, include	where appropriate, include	
measurable indicators, as a basis		measurable indicators, as a basis	measurable indicators, as a basis	
for evaluating the effects of the		for evaluating the effects of the	for evaluating the effects of the	
programme.		programme.	programme.	
		(94a) The use of Copernicus	(94a) The use of Copernicus and	105a
		and Galileo based services is	Galileo based services is	
		predicted to have a major	predicted to have a major impact	
		impact in the European	in the European economy in	
		economy in general. However,	general. However, ad hoc	
		ad hoc measurements and case	measurements and case studies	
		studies seem to dominate the	seem to dominate the picture	
		picture today. The Commission	today. The Commission, through	
		should work with Eurostat in	Eurostat, should define relevant	
		order to define relevant	statistical measurements_and	
		statistical measurements and	indicators that would form the	
		indicators that would form the	basis for monitoring the impact of	
		basis for monitoring the impact	the EU space activities in a	
		of the EU space activities in a	systematic and authoritative way.	
		systematic and authoritative		

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		way.		
(95) In order to ensure uniform		(95) In order to ensure uniform	(95) In order to ensure uniform	106
conditions for the implementation		conditions for the implementation	conditions for the implementation	
of this Regulation, implementing		of this Regulation, implementing	of this Regulation, implementing	
powers should be conferred on		powers should be conferred on	powers should be conferred on	
the Commission. Those powers		the Commission. Those powers	the Commission. Those powers	
should be exercised in		should be exercised in	should be exercised in	
accordance with Regulation (EU)		accordance with Regulation (EU)	accordance with Regulation (EU)	
No 182/2011.		No 182/2011.	No 182/2011. The Commission	
			should be assisted by a	
			Committee which should meet in	
			specific configuration.	
		(95a) Since the Programme's	(95a) Since the Programme's	106a
		components are user driven,	components are user driven, they	
		they require the continuous,	require the continuous, effective	
		effective involvement of users,	involvement of users for their	
		particularly regarding the	implementation and development,	
		definition and validation of	particularly regarding the	
		service requirements. In order	definition and validation of	
		to increase the value for the	service requirements. In order to	
		users, their input should be	increase the value for the users,	
		actively sought through regular	their input should be actively	
		consultation with end-users	sought through regular	
		from the public and private	consultation with end-users from	
		sectors of the Union's Member	the public and private sectors of	
		States and where appropriate	the Union's Member States and	
		international organisations. For	where appropriate international	
		that purpose, a working group	organisations. For that purpose, a	
		(the 'User Forum') should be	working group (the 'User	
		set up to assist the Programme	Forum') should be set up to assist	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(400. 7070/10)		Committee with the identification of user requirements, the verification of service compliance and the coordination of public sector users. The rules of procedure of the Committee should establish the organisation of that	the Programme Committee with the identification of user requirements; and the verification of service compliance, as well as the identification of gaps in services provided. The rules of procedure of the Committee should establish the organisation	
		working group to take into account the specificities of each component and each service within the components.	of that working group to take into account the specificities of each component and each service within the components. Whenever possible, Member States should contribute to the User Forum based on a systematic and coordinated consultation of users at national level.	
(96) As sound public governance requires uniform management of the Programme, faster decision-making and equal access to information, representatives of the entities entrusted with tasks related to this programme should be able to take part as observers in the work of the committee established in application of Regulation (EU) No 182/2011. For the same reasons,		(96) As sound public governance requires uniform management of the Programme, faster decision-making and equal access to information, representatives of the entities entrusted with tasks related to this programme shouldmight be able to take part as observers in the work of the committee established in application of Regulation (EU) No 182/2011. For the same	(96) As sound public governance requires uniform management of the Programme, faster decision-making and equal access to information, representatives of the entities entrusted with tasks related to this programme might be able to take part as observers in the work of the committee established in application of Regulation (EU) No 182/2011. For the same reasons,	107

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
representatives of third countries and international organisations who have concluded an international agreement with the Union should be able to take part in the work of the committee subject to security constraints and as provided for in the terms of such agreement. The representatives of entities entrusted with tasks related to the Programme, third countries and international organisations are not entitled to take part in committee voting procedures.		reasons, representatives of third countries and international organisations who have concluded an international agreement with the Union-should, relating to the Programme or its components or sub-components, might be able to take part in the work of the committee subject to security constraints and as provided for in the terms of such agreement. The representatives of entities entrusted with tasks related to the Programme, third countries and international organisations are not entitled to take part in committee voting procedures.	representatives of third countries and international organisations who have concluded an international agreement with the Union, relating to the Programme or its components or subcomponents, might be able to take part in the work of the committee subject to security constraints and as provided for in the terms of such agreement. The representatives of entities entrusted with tasks related to the Programme, third countries and international organisations are not entitled to take part in committee voting procedures. The conditions for the participation of observers and ad hoc participants should be laid down in the rules of procedure of the Committees.	N°
(97) In order to ensure effective assessment of progress of the Programme towards the achievement of its objectives, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of		(97) In order to ensure effective assessment of progress of the Programme towards the achievement of its objectives, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of	(97) In order to ensure effective assessment of progress of the Programme towards the achievement of its objectives, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of	108

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
amending Annex X to review or		amending Annex X to review or	amending Annex X to review or	11
complement the indicators where		complement the indicators where	complement the indicators where	
considered necessary and to		considered necessary and to	considered necessary and to	
5		•	_	
supplement this Regulation with		supplement this Regulation with	supplement this Regulation with	
provisions on the establishment		provisions on the establishment	provisions on the establishment	
of a monitoring and evaluation		of a monitoring and evaluation	of a monitoring and evaluation	
framework. It is of particular		framework. It is of particular	framework. It is of particular	
importance that the Commission		importance that the Commission	importance that the Commission	
carry out appropriate		carry out appropriate	carry out appropriate	
consultations during its		consultations during its	consultations during its	
preparatory work, including at		preparatory work, including at	preparatory work, including at	
expert level, and that those		expert level, and that those	expert level, and that those	
consultations be conducted in		consultations be conducted in	consultations be conducted in	
accordance with the principles		accordance with the principles	accordance with the principles	
laid down in the Interinstitutional		laid down in the Interinstitutional	laid down in the Interinstitutional	
Agreement on Better Law-		Agreement on Better Law-	Agreement on Better Law-	
Making of 13 April 2016. In		Making of 13 April 2016. In	Making of 13 April 2016. In	
particular, to ensure equal		particular, to ensure equal	particular, to ensure equal	
participation in the preparation of		participation in the preparation of	participation in the preparation of	
delegated acts, the European		delegated acts, the European	delegated acts, the European	
Parliament and the Council		Parliament and the Council	Parliament and the Council	
receive all documents at the same		receive all documents at the same	receive all documents at the same	
time as Member States' experts,		time as Member States' experts,	time as Member States' experts,	
and their experts systematically		and their experts systematically	and their experts systematically	
have access to meetings of		have access to meetings of	have access to meetings of	
Commission expert groups		Commission expert groups	Commission expert groups	
dealing with the preparation of		dealing with the preparation of	dealing with the preparation of	
delegated acts.		delegated acts.	delegated acts.	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(98) Since the objective of this		(98) Since the objective of this	(98) Since the objective of this	109
Regulation cannot be sufficiently		Regulation cannot be sufficiently	Regulation cannot be sufficiently	107
achieved by the Member States		achieved by the Member States	achieved by the Member States	
since it goes beyond the financial		since it goes beyond the financial	since it goes beyond the financial	
and technical capacities of any		and technical capacities of any	and technical capacities of any	
single Member State, and can		single Member State, and can	single Member State, and can	
therefore, by reason of its scale		therefore, by reason of its scale	therefore, by reason of its scale	
and effects, be better achieved by		and effects, be better achieved by	and effects, be better achieved by	
action at Union level, the Union		action at Union level, the Union	action at Union level, the Union	
may adopt measures, in		may adopt measures, in	may adopt measures, in	
accordance with the principle of		accordance with the principle of	accordance with the principle of	
subsidiarity as set out in Article 5		subsidiarity as set out in Article 5	subsidiarity as set out in Article 5	
TEU. In accordance with the		TEU. In accordance with the	TEU. In accordance with the	
principle of proportionality, as set		principle of proportionality, as set	principle of proportionality, as set	
out in that Article, this		out in that Article, this	out in that Article, this	
Regulation does not go beyond		Regulation does not go beyond	Regulation does not go beyond	
what is necessary in order to		what is necessary in order to	what is necessary in order to	
achieve that objective,		achieve that objective.	achieve that objective,	
		(99) In order to ensure	(99) In order to ensure uniform	109a
		uniform conditions for the	conditions for the implementation	
		implementation of the	of the Programme's security	
		Programme's security	requirements, implementing	
		requirements, implementing	powers should be conferred on	
		powers should be conferred on	the Commission. Those powers	
		the Commission. Those powers	should be exercised in	
		should be exercised in	accordance with Regulation (EU)	
		accordance with Regulation	No 182/2011 of the European	
		(EU) No 182/2011 of the	Parliament and of the Council.	
		European Parliament and of	Member States should be able to	
		the Council. Member States	exert a maximum of control over	

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		should be able to exert a	the programme's security	
		maximum of control over the	requirements. When adopting	
		programme's security	implementing acts in the area of	
		requirements. When adopting	security of the Programme, the	
		implementing acts in the area	Commission should be assisted	
		of security of the Programme,	by a committee composed of	
		the Commission should be	Member States' representatives	
		assisted by a committee	meeting in a dedicated security	
		composed of Member States'	configuration. Those	
		representatives meeting in a	implementing acts should be	
		dedicated security	adopted in accordance with the	
		configuration. Those	examination procedure set out in	
		implementing acts should be	Regulation 182/2011. In view of	
		adopted in accordance with the	the sensitivity of security matters,	
		examination procedure set out	the chair should endeavour to	
		in Regulation 182/2011. In view	find solutions which command	
		of the sensitivity of security	the widest possible support	
		matters, the chair should	within the committee. The	
		endeavour to find solutions	Commission should not adopt	
		which command the widest	implementing acts determining	
		possible support within the	the general security requirements	
		committee. The Commission	of the programme in cases where	
		should not adopt implementing	no opinion is delivered by the	
		acts determining the general	committee.	
		security requirements of the		
		programme in cases where no		
		opinion is delivered by the		
		committee.		
		(99a) The Programme		109b
		should be established for a period		

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		of seven years to align its duration		
		with that of the multiannual		
		financial framework laid down in		
		Council Regulation (EU,		
		Euratom) No [reference to the		
		MFF Regulation to be inserted].		
		(99b) In order to ensure		109c
		continuity in providing support		
		in the relevant policy area and		
		to allow implementation as of		
		the beginning of the multi-		
		annual financial framework		
		2021-2027, it is necessary to		
		provide for the application of		
		this Regulation from the		
		beginning of the 2021 financial		
		<u>year.</u>		
HAVE ADOPTED THIS		HAVE ADOPTED THIS	HAVE ADOPTED THIS	110
REGULATION:		REGULATION:	REGULATION:	

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
TITLE I		TITLE I	TITLE I	111
GENERAL PROVISIONS		GENERAL PROVISIONS	GENERAL PROVISIONS	112
Article 1		Article 1	Article 1	113
Subject matter		Subject matter	Subject matter	114
1. This Regulation establishes the space programme of the Union ('Programme'). It lays down the objectives of the Programme, the budget for the period 2021 – 2027, the forms of Union funding and the rules for providing such funding, as well as the rules for the implementation of the Programme.		1. This Regulation establishes the space programme of the Union ('Programme') for the period from 1 January 2021 to 31 December 2027. It lays down the objectives of the Programme, the budget for the period 2021 – 2027, the forms of Union funding and the rules for providing such funding, as well as the rules for the implementation of the Programme.	1. [This Regulation establishes the space programme of the Union ('Programme').] It lays down the objectives of the Programme, the budget for the period 2021 – 2027, the forms of Union funding and the rules for providing such funding, as well as the rules for the implementation of the Programme.	115
2. This Regulation establishes the European Union Agency for the Space Programme ('Agency') that replaces and succeeds the European GNSS Agency established by Regulation (EU) No 912/2010 and lays down the rules of operation of the Agency.		2. This Regulation establishes the European Union Agency for the Space Programme ('Agency') that replaces and succeeds the European GNSS Agency established by Regulation (EU) No 912/2010 and lays down the rules of operation of the Agency.	2. This Regulation establishes the European Union Agency for the Space Programme ('Agency') that replaces and succeeds the European GNSS Agency established by Regulation (EU) No 912/2010 and lays down the rules of operation of the Agency.	116

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
Article 2		Article 2	Article 2	117
Definitions		Definitions	Definitions	118
For the purpose of this		For the purpose of this	For the purpose of this	119
Regulation, the following		Regulation, the following	Regulation, the following	
definitions shall apply:		definitions shall apply:	definitions shall apply:	
		(0) Space surveillance and tracking (SST) system means a network of ground-based and space-based sensors capable of surveying and tracking space objects, together with processing capabilities aiming to provide data, information and services on space objects that orbit around the Earth.	(0) Space surveillance and tracking (SST) system means a network of ground-based and space-based sensors capable of surveying and tracking space objects, together with processing capabilities aiming to provide data, information and services on space objects that orbit around the Earth.	119a
(1) 'spacecraft' means any space object serving a specific purpose, including active artificial satellites and launcher upper stages;		(1) 'spacecraft' means any space an orbiting object serving designed to perform a specific purpose, function or mission (e.g. communications, navigation or Earth observation) including active artificial satellites and launcher upper stages; re-entry vehicle). A spacecraft that can no longer fulfil its intended mission is considered non-functional. Spacecraft in reserve or standby modes awaiting	(1) 'spacecraft' means an orbiting object designed to perform a specific, function or mission (e.g. communications, navigation or Earth observation) including satellites-launcher upper stages, re-entry vehicle). A spacecraft that can no longer fulfil its intended mission is considered non- functional. Spacecraft in reserve or standby modes awaiting possible reactivation are considered functional.	120

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		possible reactivation are considered functional.		
(2) 'space weather events' means naturally occurring variations in the space environment between the Sun and the Earth, including solar flares, solar energetic particles, solar wind, and coronal mass ejections that can lead to solar storms (geomagnetic storms, solar radiation storms and ionospheric disturbances) potentially impacting Earth;	AMD 51 (2) 'space weather events' means naturally occurring variations in the space environment between the Sun and the Earth, including solar flares, solar energetic particles, solar wind, and coronal mass ejections that can lead to solar storms (geomagnetic storms, solar radiation storms and ionospheric disturbances) potentially impacting Earth or space-based infrastructures;	(2) 'space weather events' means naturally occurring variations in the space environment between at on the Sun and around the Earth.; including Space weather effects include solar flares, solar energetic particles, variations in the solar wind, and coronal mass ejections that can lead to solar storms (, geomagnetic storms; solar and dynamics, radiation storms and ionospheric disturbances) potentially impacting Earth and spacebased infrastructures;	(2) 'space weather events' means naturally occurring variations in the space environment at the Sun and around the Earth. Space weather effects include solar flares, solar energetic particles, variations in the solar wind, coronal mass ejections, geomagnetic storms and dynamics, radiation storms and ionospheric disturbances potentially impacting Earth and space-based infrastructures;	121
(3) 'near earth objects' means natural objects in the solar system that can potentially impact the Earth;		(3) 'near earth objects' (NEO) means natural objects in the solar system that can potentially impact approaching the Earth;	(3) 'near earth objects' (NEO) means natural objects in the solar system approaching the Earth;	122
(4) 'space object' means any man-made object in outer space;		(4) 'space object' means any man-made object in outer space;	(4) 'space object' means any man-made object in outer space;	123

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(5) 'space situational awareness'	AMD 52	(5) 'space situational awareness'	(5) 'space situational awareness'	124
('SSA') means a holistic approach towards the main space hazards,	(5) 'space situational awareness' ('SSA') means	('SSA') means a holistic approach towards the main space hazards,	('SSA') means a holistic approach, including	
encompassing collision between	comprehensive knowledge and	encompassing collision between	comprehensive knowlegde and	
satellites and space debris, space	understanding of the main space	satellites and space debris space	understanding, of the main space	
weather phenomena, and near	hazards, encompassing collision	objects, fragmentation and	hazards, encompassing collision	
earth objects;	between satellites and space	reentry of space objects into the	between space objects,	
,	debris, space weather	atmosphere, space weather	fragmentation and reentry of	
	phenomena, and near earth	phenomena, and near earth	space objects into the	
	objects;	objects;	atmosphere, space weather	
			phenomena, and near earth	
			objects;	
(6) 'blending operation' means	<u>AMD 53</u>	(6) 'blending operation' means	(6) 'blending operation' means	125
actions supported by the EU	(6) 'blending operation' means	actions supported by the EU	actions supported by the EU	
budget, including within blending	actions supported by the EU	budget, including within blending	budget, including within blending	
facilities pursuant to Article 2(6) of the Financial Regulation,	budget, including within blending facilities pursuant to Article 2(6)	facilities pursuant to Article 2(6) of the Financial Regulation,	facilities pursuant to Article 2(6) of the Financial Regulation,	
combining non-repayable forms	of the Financial Regulation,	combining non-repayable forms	combining non-repayable forms	
of support and/or financial	combining non-repayable forms	of support and/or financial	of support and/or financial	
instruments from the EU budget	of support and/or financial	instruments from the EU budget	instruments and/or budgetary	
with repayable forms of support	instruments and/or budgetary	with repayable forms of support	guarantees from the EU budget	
from development or other public	guarantees from the EU budget	from development or other public	with repayable forms of support	
finance institutions, as well as	with repayable forms of support	finance institutions, as well as	from development or other public	
from commercial finance	from development or other public	from commercial finance	finance institutions, as well as	
institutions and investors;	finance institutions, as well as	institutions and investors;	from commercial finance	
	from commercial finance		institutions and investors;	
	institutions and investors;			

COMMISSION PROPOSAL	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row
(doc. 9898/18)				N°
(7) 'legal entity' means any		(7) 'legal entity' means any	(7) 'legal entity' means any	126
natural or legal person created		natural or legal person created	natural or legal person created	
and recognised as such under		and recognised as such under	and recognised as such under	
national law, Union law or		national law, Union law or	national law, Union law or	
international law, which has legal		international law, which has legal	international law, which has legal	
personality and which may,		personality and which may,	personality and which may,	
acting in its own name, exercise		acting in its own name, exercise	acting in its own name, exercise	
rights and be subject to		rights and be subject to	rights and be subject to	
obligations, or an entity without a		obligations, or an entity without a	obligations, or an entity without a	
legal personality in accordance		legal personality in accordance	legal personality in accordance	
with Article 197(2)(c) of the		with Article 197(2)(c) of the	with Article 197(2)(c) of the	
Financial Regulation;		Financial Regulation;	Financial Regulation;	
(8) 'third country' means a		(8) 'third country' means a	(8) 'third country' means a	127
country that is not a Member		country that is not a Member	country that is not a Member	
State of the Union;		State of the Union;	State of the Union;	
(9) 'SST information' means		(9) 'SST information' means	(9) 'SST information' means	128
processed SST data which is		processed SST data which is	processed SST data which is	
readily meaningful to the		readily meaningful to the	readily meaningful to the	
recipient;		recipient;	recipient;	
(10) 'SST data' means physical	AMD 54	(10) 'SST data' means physical	(10) 'SST data' means physical	129
parameters of space objects	(10) 'SST data' means physical	parameters of space objects	parameters of space objects,	
acquired by SST sensors or	parameters of space objects,	acquired by SST sensors or	including space debris, acquired	
orbital parameters of space	including space debris, acquired	orbital parameters of space	by SST sensors or orbital	
objects derived from SST sensors'	by SST sensors or orbital	objects derived from SST sensors'	parameters of space objects	
observations in the framework of	parameters of space objects	observations in the framework of	derived from SST sensors'	
the space surveillance and	derived from SST sensors'	the space surveillance and	observations in the framework of	
tracking ('SST') component;	observations in the framework of	tracking ('SST') component;	the space surveillance and	
	the space surveillance and		tracking ('SST') component;	
	tracking ('SST') component;			

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
(11) 'return link' means a service contributing to the global monitoring service of aircraft, monitoring defined by the International Civil Aviation Organisation;		(11) 'return link' means a service contributing to the global monitoring service of aircraft, monitoring defined by the International Civil Aviation Organisation;	(11) 'return link' means a functional capacity of the Galileo search and rescue support service; the Galileo SAR service will contributeing to the global monitoring service of aircraft, monitoring defined by the International Civil Aviation Organisation;	130
(12) 'Copernicus sentinels' means the Copernicus dedicated satellites, spacecraft or spacecraft payloads for space-borne Earth observation; (13) 'Copernicus data' means data provided by the Sentinels,		(12) 'Copernicus sentinels' means the Copernicus dedicated satellites, spacecraft or spacecraft payloads for space-borne Earth observation; (13) 'Copernicus data' means data provided by the Sentinels,	(12) 'Copernicus sentinels' means the Copernicus dedicated satellites, spacecraft or spacecraft payloads for space-borne Earth observation; (13) 'Copernicus data' means data provided by the Sentinels,	131
including their metadata; (14) 'Copernicus third-party data' means data licensed for use by Copernicus which originate from sources other than the Sentinels;		including their metadata; (14) 'Copernicus third-party data and information' means spatial data and information licensed or made available for use by Copernicus which originate from sources other than the Sentinels;	including their metadata; (14) 'Copernicus third-party data and information' means spatial data and information licensed or made available for use by Copernicus which originate from sources other than the Sentinels;	133
	AMD 55 (14a) 'Copernicus third-party- information' means information licensed and provided for use within Copernicus activities which originate from sources other than Copernicus Sentinels;		EP OK to withdraw	133a

COMMISSION PROPOSAL (doc. 9898/18)	EP TEXT	COUNCIL TEXT	COMPROMISE TEXT	Row N°
		(14a) Copernicus Services'	(14a) Copernicus Services' mean	133b
		mean value-added services,	value-added services of general	
		financed by the Programme,	and common interest to the Union	
		transforming Earth	and Member States, which are	
		Observation data, in situ data	financed by the Programme and	
		and other ancillary data into	which transform Earth	
		processed, aggregated and	Observation data, in situ data and	
		interpreted information	other ancillary data into	
		tailored to the needs of	processed, aggregated and	
		Copernicus users;	interpreted information tailored to	
			the needs of Copernicus users;	
(15) 'Copernicus in situ data'		(15) 'Copernicus in situ data'	(15) 'Copernicus in situ data'	134
means observation data from		means observation data from	means observation data from	
groundborne, seaborne or		groundborne, seaborne or	groundborne, seaborne or	
airborne sensors, as well as		airborne sensors, as well as	airborne sensors, as well as	
reference and ancillary data		reference and ancillary data	reference and ancillary data	
licensed or provided for use in		licensed or provided for use in	licensed or provided for use in	
Copernicus;		Copernicus;	Copernicus;	
(16) 'Copernicus information'		(16) 'Copernicus information'	(16) 'Copernicus information'	135
means information generated by		means information generated by	means information generated by	
the Copernicus services following		the Copernicus <u>S</u> services	the Copernicus Services	
processing or modelling,		following processing or	following processing or	
including their metadata;		modelling, including their	modelling, including their	
		metadata;	metadata;	

(17) 'fiduciary entity' means a legal entity that is independent from the Commission or a third party and that receives data from the Commission or that third party for the purpose of safe storage and treatment of that data; (18) 'space debris' means any space object including spacecraft or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that are non-functional or no longer (17) 'fiduciary entity' means a legal entity that is independent from the Commission or a third party and that receives data from the Commission or that third party for the purpose of safe storage and treatment of that data; (18) 'space debris' means any space object including spacecraft or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that are non-functional or no longer	6
from the Commission or a third party and that receives data from the Commission or that third party for the purpose of safe storage and treatment of that data; (18) 'space debris' means any space object including spacecraft or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that from the Commission or a third party and that receives data from the Commission or that third party and that receives data from the Commission or that third party for the purpose of safe storage and treatment of that data; (18) 'space debris' means any space object including spacecraft or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that	
party and that receives data from the Commission or that third party for the purpose of safe storage and treatment of that data; (18) 'space debris' means any space object including spacecraft or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that party and that receives data from the Commission or that third party for the purpose of safe storage and treatment of that data; (18) 'space debris' means any space object including spacecraft or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that party and that receives data from the Commission or that third party for the purpose of safe storage and treatment of that data; (18) 'space debris' means any space object including spacecraft or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that	
the Commission or that third party for the purpose of safe storage and treatment of that data; (18) 'space debris' means any space object including spacecraft or fragments and elements thereof in Earth's orbit or re- entering Earth's atmosphere, that the Commission or that third party for the purpose of safe storage and treatment of that data; storage and treatment of that data; storage and treatment of that data; (18) 'space debris' means any space object including spacecraft or fragments and elements thereof in Earth's orbit or re- entering Earth's atmosphere, that the Commission or that third party for the purpose of safe storage and treatment of that data; storag	
party for the purpose of safe storage and treatment of that data; storage and treatment of that data; (18) 'space debris' means any space object including spacecraft or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that (18) party for the purpose of safe storage and treatment of that data; storage and treatment of th	
storage and treatment of that data; (18) 'space debris' means any space object including spacecraft or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that storage and treatment of that data; storage and treatment of the storage and treat	
(18) 'space debris' means any space object including spacecraft or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that (18) 'space debris' means any space object including spacecraft or fragments and elements or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that (18) 'space debris' means any space object including spacecraft or fragments and elements or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that	
space object including spacecraft or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that space object including spacecraft or fragments and elements or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that space object including spacecraft or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that	
space object including spacecraft or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that space object including spacecraft or fragments and elements or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that space object including spacecraft or fragments and elements thereof in Earth's orbit or reentering Earth's atmosphere, that	7
thereof in Earth's orbit or re- entering Earth's atmosphere, that thereof in Earth's orbit or re- entering Earth's atmosphere, that thereof in Earth's orbit or re- entering Earth's atmosphere, that	
entering Earth's atmosphere, that entering Earth's atmosphere, that	
are non-functional or no longer are non-functional or no longer are non-functional or no longer	
serve any specific purpose, serve any specific purpose, serve any specific purpose,	
including parts of rockets or including parts of rockets or including parts of rockets or	
artificial satellites, or inactive artificial satellites, or inactive artificial satellites, or inactive	
artificial satellites; artificial satellites; artificial satellites;	
(19) 'SST sensor' means a device	8
or a combination of devices, or a combination of devices,	
ground-based or space-based ground-based or space-based ground-based or space-based	
radars, lasers and telescopes, that radars, lasers and telescopes, that	
is able to measure physical is able to perform space is able to perform space	
parameters related to space <u>surveillance or tracking and</u> surveillance or tracking and can	
objects, such as size, location and <u>can</u> measure physical parameters measure physical parameters	
speed; related to space objects, such as related to space objects, such as	
size, location and speedor size, location and velocity;	
<u>velocity;</u>	

(19a) 'GOVSATCOM (19a) 'GOVSATCOM partici	-
<u>participant' means a Member</u> means a Member States, Cou	ncil,
States, Council, the the Commission and EEAS,	is
Commission and EEAS, as well well as Union agencies, third	
as Union agencies, third countries and international	
countries and international organisations, in so far as such	h
organisations, in so far as such agencies, third countries and	
agencies, third countries and international organisations has	ive
<u>international organisations</u> been duly authorised;	
have been duly authorised;	
(20) 'GOVSATCOM user' means (2	neans 139
a Union or Member State public a Union or Member State public a Union or Member State public	
authority, a body entrusted with authority, a body entrusted with authority, a body entrusted with	
the exercise of public authority, the exercise of public authority, the exercise of public authority,	
or a natural or legal person, dully or a natural or legal person, duly or a natural or legal person, duly	
authorised and entrusted with authorised and entrusted with	•
tasks relating to the supervision tasks relating to the supervision tasks relating to the supervision and management of sequents.	
and management of security- and management of security- and management of security-	
critical missions, operations and critical missions, operations and critical missions, operations	ına
infrastructures; infrastructures; infrastructures;	
(20a) 'GOVSATCOM Hub' (20a) 'GOVSATCOM Hub'	139a
<u>means an operational centre</u> means an operational centre	
with the main function to link in a with the main function to link in a	
<u>in a secure manner the</u> secure manner the	
GOVSATCOM users to the GOVSATCOM users to the	
providers of GOVSATCOM providers of GOVSATCOM	
capacity and services, and capacity and services, and	
thereby optimise the supply thereby optimise the supply a	nd
and demand at any given demand at any given momen	
moment.	

(21) COVEATOOM was assa?	 (21) 'GOVSATCOM use-case'	(21) 'GOVSATCOM use-case'	140
(21) 'GOVSATCOM use-case'			140
means an operational scenario in	means an operational scenario in	means an operational scenario in	
a particular environment in which	a particular environment in which	a particular environment in which	
GOVSATCOM users require	GOVSATCOM users require	GOVSATCOM services are	
GOVSATCOM services;	GOVSATCOM services <u>are</u>	required;	
	required;		
	(21a) EU classified information	(21a) EU classified information	140a
	(EUCI)' means any information	(EUCI)' means any information	
	or material designated by a EU	or material designated by a EU	
	security classification, the	security classification, the	
	unauthorised disclosure of	unauthorised disclosure of which	
	which could cause varying	could cause varying degrees of	
	degrees of prejudice to the	prejudice to the interests of the	
	interests of the European Union	European Union or of one or	
	or of one or more of the	more of the Member States;	
	Member States;	,	
(22) 'sensitive non-classified	(22) 'sensitive non-classified	(22) 'sensitive non-classified	141
information' means non-	information' means non-classified	information' means non-classified	
classified information that the	information that the Commission	information within the meaning of	
Commission must protect	must within the meaning of	Article 9 of Commission Decision	
because of legal obligations laid	Article 9 of Commission Decision	(EU, Euratom) 2015/443, which	
down in the Treaties or in acts	(EU, Euratom) 2015/443, which	creates an obligation to protect	
adopted in implementation	creates an obligation to protect	sensitive non-classified	
thereof, and/or because of its	because of legal obligations laid	information applying solely to the	
sensitivity;	down in the Treaties or in acts	European Commission and to	
sensitivity,	adopted in implementation	Union agencies and bodies obliged	
	thereof, sensitive non-classified	by law to apply the security rules	
	information applying solely to	of the Commission;	
	the European Commission and/or		
	because of its sensitivity; to		
	Union agencies and bodies		
	obliged by law to apply the		
	security rules of the Commission;		
	atterner, resident of the Commission,		

(23) 'Copernicus users' means:		(23) 'Copernicus users' means:	(23) 'Copernicus users' means:	142
'Copernicus core users' which benefit from Copernicus data and Copernicus information and have the additional role of driving the evolution of Copernicus, comprising the Union institutions and bodies and European national, or regional public bodies entrusted with a public service mission for the definition, implementation, enforcement or monitoring of environmental, civil protection, safety or security policies;	'Copernicus core users' which benefit from Copernicus data and Copernicus information and have the additional role of driving the evolution of Copernicus, comprising the Union institutions and bodies and European national, or regional public bodies entrusted with a public service mission for the definition, implementation, enforcement or monitoring of environmental, civil protection, safety, including safety of infrastructure or security policies;	'Copernicus core users' which benefit from Copernicus data and Copernicus information and have the additional role of driving the evolution of Copernicus, comprising are the Union institutions and bodies and European, national, or regional public bodies in the Union or Copernicus Participating States entrusted with a public service mission for the definition, implementation, enforcement or monitoring of civilian public policies, among others environmental, civil protection, safety or security policies;	'Copernicus core users' which benefit from Copernicus data and Copernicus information and have the additional role of driving the evolution of Copernicus, are the Union institutions and bodies and European, national, or regional public bodies in the Union or Copernicus Participating States entrusted with a public service mission for the definition, implementation, enforcement or monitoring of civilian public policies, among others environmental, civil protection, safety, including safety of infrastructure, or security policies;	143
'other Copernicus users' which benefit from Copernicus data and Copernicus information and include in particular research and education organisations, commercial and private bodies, charities, non-governmental organisations, and international organisations.		'other Copernicus users' which benefit from Copernicus data and Copernicus information and include in particular research and education organisations, commercial and private bodies, charities, non-governmental organisations, and international organisations.	'other Copernicus users' which benefit from Copernicus data and Copernicus information and include in particular research and education organisations, commercial and private bodies, charities, non-governmental organisations, and international organisations.	144

AMD 57 'Copernicus core services' means the operational services clustered in the data and information processing component or service component, which are of general and common interest of the Member States and the Union;		EP OK to withdraw	144a
AMD 58 (23 a) "space sector" means:		EP OK to withdraw	144b
''the upstream sector'', which includes activities leading to an operational space system, and space exploration;		EP OK to withdraw	144c
"the downstream sector" which includes activities relating to exploiting satellite data to develop space-related products and services to end-users.		EP OK to withdraw	144d
	(24) 'Copernicus Participating States' means third countries which contribute financially and participate in Copernicus under the terms of an international agreement	(24) 'Copernicus Participating States' means third countries which contribute financially and participate in Copernicus under the terms of an international agreement concluded with the	144e

		concluded with the Union.	Union.	
Article 3		Article 3	Article 3	145
Components of the Programme		Components of the Programme	Components of the Programme	146
The Programme shall consist of the following components:		The Programme shall consist of the following components:	The Programme shall consist of the following components:	147
(a) an autonomous civil global navigation satellite system (GNSS) under civil control comprising a constellation of satellites, centres and a global network of stations on the ground, offering positioning, navigation and time measurement services and fully integrating the needs and requirements of security ('Galileo');	(a) an autonomous civil global navigation satellite system (GNSS) under civil control comprising a constellation of satellites, centres and a global network of stations on the ground, offering positioning, navigation and time measurement services and, where appropriate, integrating the needs and requirements of security ('Galileo');	(a) an autonomous civil global navigation satellite system (GNSS) under civil control comprising a constellation of satellites, centres and a global network of stations on the ground, offering positioning, navigation and time measurement timing services and fully integrating the needs and requirements of security ('Galileo');	(a) an autonomous civil global navigation satellite system (GNSS) under civil control comprising a constellation of satellites, centres and a global network of stations on the ground, offering positioning, navigation and timing services and integrating the needs and requirements of security ('Galileo');	148
(b) a regional satellite navigation system which consists of centres and stations on the ground and several transponders installed on geosynchronous satellites and which augments and corrects the open signals emitted by Galileo and other GNSSs, <i>inter alia</i> for air-traffic management and air navigation services ('European Geostationary Navigation Overlay Service or 'EGNOS');		(b) a <u>civil</u> regional satellite navigation system <u>under civil</u> <u>control</u> which consists of centres and stations on the ground and several transponders installed on geosynchronous satellites and which augments and corrects the open signals emitted by Galileo and other GNSSs, <i>inter alia</i> for air-traffic management and air navigation services and other transport systems ('European Geostationary Navigation	(b) a civil regional satellite navigation system under civil control which consists of centres and stations on the ground and several transponders installed on geosynchronous satellites and which augments and corrects the open signals emitted by Galileo and other GNSSs, <i>inter alia</i> for air-traffic management, air navigation services and other transport systems ('European Geostationary Navigation	149

		Overlay Service or 'EGNOS');	Overlay Service or 'EGNOS');	
(c) an autonomous, user-driven,	AMD 60	(c) an operational , autonomous,	(c) an operational, autonomous,	150
Earth observation system under	(c) an autonomous, user-	user-driven, <u>civil</u> Earth	user-driven, civil Earth	
civil control, offering geo-	driven, Earth observation system	observation system under civil	observation system under civil	
information data and services,	under civil control, offering geo-	control, building on the existing	control, building on the existing	
comprising satellites, ground	information data and services	national and European	national and European capacities,	
infrastructure, data and	based on a free and open data	capacities, offering geo-	offering geo-information data and	
information processing facilities,	<i>policy</i> , comprising satellites,	information data and services	services comprising satellites,	
and distribution infrastructure,	ground infrastructure, data and	comprising satellites, ground	ground infrastructure, data and	
and fully integrating the needs	information processing facilities,	infrastructure, data and	information processing facilities,	
and requirements of security	and distribution infrastructure,	information processing facilities,	and distribution infrastructure,	
('Copernicus');	and fully integrating the needs	and distribution infrastructure,	based on a full, free and open	
	and requirements of security	pursuing a full, free and fully	data policy and, where	
	('Copernicus');	open data policy and, where	appropriate, integrating the needs	
		appropriate, integrating the	and requirements of security	
		needs and requirements of	('Copernicus');	
		security ('Copernicus');		
(d) a space surveillance and	<u>AMD 61</u>	(d) a space surveillance and	(d) a space surveillance and	151
tracking system aiming to	(d) a space surveillance and	tracking system aiming to	tracking system aiming to	
improve, operate and provide	tracking system aiming to	improve, operate and provide	improve, operate and provide	
data, information and services	improve, operate and provide	data, information and services	data, information and services	
related to the surveillance and	data, information and services	related to the surveillance and	related to the surveillance and	
tracking of active and inactive	related to the surveillance and	tracking of active and inactive	tracking of space objects that	
spacecraft, discarded launchers	tracking of active and inactive	spacecraft, discarded launchers	orbit around the Earth ('SST' sub-	
stages, debris and debris	spacecraft <i>and space</i> , debris that	stages, debris and debris	component) and complemented	
fragments that orbit around the	orbit around the Earth and	fragments space objects that	by observational parameters	
Earth and complemented by	complemented by observational	orbit around the Earth ('SST'	related to space weather events	
observational parameters related	parameters related to space	sub-component) and	('SWE' sub-component) and the	
to space weather events and the	weather events and the risk of	complemented by observational	risk monitoring of near earth	
risk of near earth objects ('NEOs')	near earth objects ('NEOs')	parameters related to space	objects ('NEOs sub-component')	
approaching earth monitoring	approaching earth monitoring	weather events ('SWE' sub-	approaching the Earth (Space	
('SST');	('SST');	component) and the risk	Situational Awareness, 'SSA');	

(e) a governmental satellite communications service enabling the provision of satellite communications services to Union and Member State authorities managing security critical missions and		monitoring of near earth objects ('NEOs sub-component') approaching the Earth earth monitoring ('SST' (Space Situational Awareness, 'SSA'); (e) a governmental satellite communications service under civil and governmental control enabling the provision of satellite communications capacities and services to Union and Member State authorities managing	e) a satellite communications service under civil and governmental control enabling the provision of satellite communications capacities and services to Union and Member State authorities managing	152
infrastructures		security critical missions and	security critical missions and	
('GOVSATCOM').		infrastructures	infrastructures	
Additionally, the Programme	AMD 62	('GOVSATCOM'). Additionally, the Programme	('GOVSATCOM'). The Programme shall include	153
shall include measures for	Additionally, the Programme	shall include additional measures	additional measures for ensuring	155
ensuring efficient access to space	shall include measures for	for ensuring efficient and	efficient and autonomous access	
for the Programme and for	ensuring <i>autonomous</i> access to	autonomous access to space for	to space for the Programme and	
fostering an innovative space	space, for tackling cyber threats,	the Programme and for fostering	for fostering an innovative and	
sector.	for fostering an innovative and	an innovative and competitive	competitive European space	
	competitive space sector,	European space sector and	sector, upstream and downstream,	
	upstream and downstream, and for supporting space diplomacy.	strenghtening the Union's space ecosystem.	strenghtening the Union's space	
	Jor supporting space aipiomacy.	ecosystem.	ecosystem and reinforcing the Union as a global player.	
			Omon as a groom playor.	

Article 4		Article 4	Article 4	154
Objectives		Objectives	Objectives	155
1. The Programme shall the following general objectives:	AMD 63 1. The Programme shall <i>have</i> the following general objectives:	1. The Programme shall <u>have</u> the following general objectives:	1. The Programme shall have the following general objectives:	156
(a) provide, or contribute to the provision of, high-quality and upto-date and, where appropriate, secure space-related data, information and services without interruption and wherever possible at global level, meeting existing and future needs and able to meet the Union's political priorities, including as regards climate change and security and defence;	(a) provide, or contribute to the provision of, high-quality and upto-date and, where appropriate, secure space-related data, information and services without interruption and wherever possible at global level, meeting existing and future needs and able to meet the Union's political priorities, including climate change; and support the evidence-based and independent decision-making capacity of the Union and its Member States;	(a) provide, or contribute to the provision of, high-quality and upto-date and, where appropriate, secure space-related data, information and services without interruption and wherever possible at global level, meeting existing and future needs and able to meet support the Union's political priorities, including as regards and related evidence-based decision making, inter alia for climate change and, transport, security and defence;	(a) provide, or contribute to the provision of, high-quality and upto-date and, where appropriate, secure space-related data, information and services without interruption and wherever possible at global level, meeting existing and future needs and able to support the Union's political priorities and related evidence-based and independent decision making, inter alia for climate change and, transport, security;	157

(b) maximise the socio-economic benefits, including by promoting the widest possible use of the data, information and services provided by the Programme's components;	 (b) maximise the socio-economic benefits, including by promoting the widest possible use of the data, information and services provided by the Programme's components;	(b) maximise the socio-economic benefits, in particular by fostering the development of an innovative and competitive European upstream and downstream sectors, including small and medium-sized enterprises and start-ups, thereby enabling growth and job creation in the Union and promoting the widest possible uptake and use of the data, information and services provided by the Programme's components both within and outside the Union; while ensuring synergies and complementarity with the Union's research and technological development activities carried out under the Horizon Europe Regulation;	158
	(bb) foster the development of an innovative and competitive European manufacturing and services sector, including small and medium-sized enterprises and start-ups, while ensuring synergies and complementarity with the Union's research and technological development activities carried out under Horizon Europe Regulation;	CONS text deletion OK	158a

(c) enhance the security of the Union and its Member States, its freedom of action and its strategic autonomy, in particular in terms of technologies and evidence-based decision-making;	AMD 66 (c) enhance the security, including cybersecurity, of the Union and its Member States, and reinforce its strategic autonomy, in particular in industrial and technological terms;	(c) enhance <u>safety</u> , the security of the Union and its Member States, its freedom of action and its <u>strategic</u> autonomy, in particular in terms of technologies and evidence-based decision-making;	(c) enhance safety, the security of the Union and its Member States, and reinforce_its autonomy, in particular in terms of technologies;	159
	AMD 67 (ca) strengthen the European industrial and scientific ecosystem in the field of space, by establishing a coherent framework that combines the excellence of European training and know-how, the development of high-level design, manufacturing capabilities and the strategic vision needed in an increasingly competitive sector;		EP OK to withdraw	159a
(d) promote the role of the Union in the international arena as a leading actor in the space sector and strengthening its role in tackling global challenges and supporting global initiatives, including with regards to climate change and sustainable	AMD 68 (d) promote the role of the Union in the international arena as a leading actor in the space sector and strengthening its role in tackling global challenges and supporting global initiatives, including with <i>regard</i> to	(d) promote the role of the Union in the international arena as a leading global actor in the space sector and strengthening, encourage international cooperation, reinforce European space diplomacy and strengthen its role in tackling global challenges and supporting	(d) promote the role of the Union global actor in the space sector, encourage international cooperation, reinforce European space diplomacy, including by fostering the principles of reciprocity and fair competition and strengthen its role in tackling global challenges, supporting	160

development.	sustainable development;	global initiatives, including with regards to climate change and sustainable development.	global initiatives, including with regards to sustainable development, and raising awareness of space as a common heritage of humankind.	
	AMD 69 (da) strengthen the Union's space diplomacy and encourage international cooperation to raise awareness of space as a common heritage of mankind;		EP OK to withdraw	160a
		(e) enhance safety, security and sustainability of all outer space activities pertaining to space objects and debris proliferation, as well as space environment, by implementing appropriate measures, including development and deployment of technologies for spacecraft disposal at the end of operational lifetime and for space debris disposal.	(e) enhance safety, security and sustainability of all outer space activities pertaining to space objects and debris proliferation, as well as space environment, by implementing appropriate measures, including development and deployment of technologies for spacecraft disposal at the end of operational lifetime and for space debris disposal.	160b

 			160c
<u>AMD 70</u>	No comment	(6a) International cooperation is	1000
		paramount and is a key element	
(db) promote Union technology		of the Space Strategy for Europe	
and industry and foster the		and to promote the role of the	
principle of reciprocity and fair		Union as a global actor in the	
competition at international		space sector. The Commission	
level;		will use the Programme to	
		contribute to and benefit from	
		international efforts through	
		space diplomacy initiatives to	
		promote European technology	
		and industry internationally (for	
		example bi-lateral dialogues,	
		industry workshops, support for	
		SME internationalisation) and to	
		facilitate access to international	
		markets and foster fair	
		competition, also leveraging	
		economic diplomacy initiatives.	
		European space diplomacy	
		initiatives should be in full	
		coherence and complementarity	
		with the existing EU policies,	
		priorities and instruments, while,	
		the Union has a key role to play	
		together with the Union Member	
		States to remain at the forefront	
		of the international scene.	
		or the international seeme.	

			Text in line 17a for Recital (6a) Update of 4 column table to reflect approved Common Understanding	
	AMD 71 (dc) enhance the safety of the Union and its Member States in various fields, in particular in transportation (aviation, including unmanned aerial vehicles, rail transports, navigation, road transports, autonomous driving), infrastructure building and monitoring, land monitoring and environment.		EP OK to withdraw	160d
2. The Programme shall have the following specific objectives:		2. The Programme shall have the following specific objectives:	2. The Programme shall have the following specific objectives:	161
(a) for Galileo and EGNOS: to provide of state-of-the-art and, where appropriate, secure positioning, navigation and timing services;	a) for Galileo and EGNOS: to provide <i>long-term and continuous</i> state-of-the-art and, where appropriate, secure positioning, navigation and timing services;	(a) for Galileo and EGNOS: to provide of state-of-the-art and, where appropriate, secure positioning, navigation and timing services whilst ensuring service continuity and robustness;	(a) for Galileo and EGNOS: to provide long-term, state-of-the-art and secure positioning, navigation and timing services whilst ensuring service continuity and robustness;	162
(b) for Copernicus: to deliver accurate and reliable Earth	<u>AMD 73</u>	(b) for Copernicus: to deliver accurate and reliable Earth	(b) for Copernicus: to deliver accurate and reliable Earth	163

Observation data and information, supplied on a long-term basis, to support the implementation and monitoring of the Union and its Member States' policies in the fields of the environment, climate change, agriculture and rural development, civil protection, safety and security, as well as the digital economy;	(b) for Copernicus: to deliver accurate and reliable Earth Observation data and information, supplied on a long-term basis, to support the implementation and monitoring of the Union and its Member States' user-driven policies and actions;	Observation data and, information and services properly integrating other data sources, supplied on a long-term sustainable basis, to support the formulation, implementation and monitoring of the Union and its Member States' policies, in particular in the fields of the environment, climate change, marine, maritime, agriculture and rural development, preservation of cultural heritage, civil protection, infrastructure monitoring, safety and security, as well as the digital economy;	Observation data, information and services integrating other data sources, supplied on a long-term sustainable basis, to support the formulation, implementation and monitoring of the Union and its Member States' policies and actions based on user requirements;	
(c) for Space Situational Awareness ('SSA'): to enhance SST capabilities to monitor, track and identify space objects, to monitor space weather and to map and network Member States NEO capacities;	(c) for Space Situational Awareness ('SSA'): to enhance SST capabilities to monitor, track and identify space objects <i>and space debris</i> , to monitor space weather and to map and network Member States NEO capacities;	(c) for Space Situational Awareness ('SSA'): to enhance SST capabilities to monitor, track and identify space objects <u>and</u> <u>space debris</u> , to <u>monitor provide</u> space weather <u>services</u> and to map and network Member States NEO capacities;	(c) for Space Situational Awareness ('SSA'): to enhance SST capabilities to monitor, track and identify space objects and space debris with the aim to further increase the performance and autonomy of SST capabilities at Union level, to provide space weather services and to map and network Member States NEO capacities;	164
(d) for GOVSATCOM: to ensure the long-term availability of reliable, secure and cost-effective		(d) for GOVSATCOM: to ensure the long-term availability of reliable, secure and cost-effective	(d) for GOVSATCOM: to ensure the long-term availability of reliable, secure and cost-effective	165

satellite communications services; (e) to contribute, where this is required for the needs of the Programme, to an autonomous, secure and cost-efficient capability to access space; (f) support and reinforce the competitiveness, entrepreneurship, skills and capacity to innovate of legal and natural persons from the Union active or wishing to become active in that sector, with particular regard to the position and needs of small and medium-sized enterprises and start-ups.	AMD 75 (e) to ensure an autonomous, secure and cost-efficient capability to access to space; AMD 76 (f) to foster the development of a strong and competitive Union space economy and maximise opportunities for Union enterprises of all sizes and all Union regions.	satellite communications services for GOVSATCOM users; (e) to contribute, where this is required for the needs of the Programme, to an autonomous, secure and cost-efficient capability to access space; (f) to support the space ecosystem and reinforce the competitiveness, innovation, entrepreneurship, skills and capacity to innovate of building in all Member States, with particular regard to small and medium-sized enterprises and start-ups or legal and natural persons from the Union active or wishing to become active in that sector, with particular regard to the position and needs of small and medium-sized enterprises and	satellite communications services for GOVSATCOM users; (e) to support an autonomous, secure and cost-efficient capability to access space, taking into account the essential security interests of the Union; (f) to foster the development of a strong Union space economy including by supporting the space ecosystem and by reinforcing competitiveness, innovation, entrepreneurship, skills and capacity building in all Member States and Union regions, with particular regard to small and medium-sized enterprises and start-ups or legal and natural persons from the Union active or wishing to become active in that sector.	167
Article 5		start-ups. Article 5	Article 5	168
Access to space		Access to space	Access to space	169
The Programme shall support:	AMD 77 The Programme, in synergy with other Union and European Space Agency programmes and funding shemes, shall support:	1. The Programme shall support: (a) provision the procurement and aggregation of launching services for the needs of the Programme; and, at their request, for Member	1. The Programme shall support the procurement and aggregation of launching services for the needs of the Programme; and, at their request, the aggregation for Member States	170

		States and international organisations. (b) development	and international organisations.	
(a) provision of launching services for the needs of the Programme;	AMD 78 (a) provision of launching services for the Programme including aggregate launching service for the Union and for other entities, at their request, taking into account the essential security interests of the Union in accordance with Article 25, in order to enhance the competitiveness of European launchers and industries on the global market;	(a) provision of launching services for the needs of the Programme;	EP OK to withdraw	171
(b) development activities linked to autonomous, reliable and costefficient access to space;	AMD 79 (b) development activities linked to autonomous, reliable and cost-efficient access to space including alternative launching technologies and innovative systems or services, taking into account the essential security interests of the Union and its Member States, in accordance with Article 25;	(b) development activities linked to autonomous, reliable and costefficient access to space;	EP OK to withdraw	172
(c) where this is required for the needs of the Programme, the necessary adaptations to the space ground infrastructure.	AMD 80 c) where this is required for the <i>objectives</i> of the Programme, the necessary <i>support for the maintenance</i> , adaptations <i>and developments of</i> the space	2. Without prejudice to the European Space Agency's activities in the area of access to space, may support: (c) where this is required for the needs of the Programme, the necessary	2. In synergies with other Union programmes and funding schemes, and without prejudice to the European Space Agency's activities in the area of access to space, the Programme may	173

	ground infrastructure, in particular existing infrastructures, rocket ranges and research centres.	adaptations to the space ground infrastructure.	support:	
		(a) adaptations, including technology development, to space launch systems which are necessary for launching satellites for the implementation of the Programme components;	(a) adaptations, including technology development, to space launch systems which are necessary for launching satellites, including alternative technologies and innovative systems on access to space, for the implementation of the Programme components;	173a
		(b) adaptations to the space ground infrastructure, including new developments, which are necessary for the implementation of the Programme.	(b) adaptations to the space ground infrastructure, including new developments, which are necessary for the implementation of the Programme.	173b
Article 6		Article 6	Article 6	174
Actions in support of an innovative Union space sector	AMD 81 Actions in support of an innovative <i>and competitive</i> Union space sector	Actions in support of an innovative and competitive Union space sector	Actions in support of an innovative and competitive Union space sector	175
The Programme shall support:		1. The Programme shall promote capacity building across the Union and thus support:	1. The Programme shall promote capacity building across the Union and thus support:	176
(a) innovation activities for making best use of space technologies, infrastructure or services;	AMD 82 (a) innovation activities for developing and making best use of space technologies, infrastructure or services;	(a) innovation activities for making best use of space technologies, infrastructure or services;	(a) innovation activities for making best use of space technologies, infrastructure or services and measures to facilitate the uptake of innovative	177

			solutions resulting from research and innovation activities and support the development of the downstream sector, in particular through synergies with other Union Programmes and financial instruments, including Invest EU.	
	AMD 83 (aa) appropriate measures to facilitate the uptake of innovative solutions resulting from research and innovation activities, in particular through synergies with other Union Funds, such as Horizon Europe and InvestEU, in order to support the development of downstream sectors of all the components of the Programme;		EP OK to withdraw	177a
	AMD 84 (ab) strengthening the European space sector in the export market;		EP OK to withdraw	177b
(b) the establishment of space- related innovation partnerships to develop innovative products or services and for the subsequent purchase of the resulting supply or services;	AMD 85 (b) the establishment of space-related innovation partnerships to develop innovative products or services and for the subsequent purchase of the resulting products or services for the needs of the Programme;	(b) the establishment of space- related innovation partnerships to develop innovative products or services and for the subsequent purchase of the resulting supply or services;	(b) activities aiming to foster public demand and public sector innovation, to realise the full potential of public services for citizens and businesses;	178

	AMD 86 (ba) design, testing, implementation and deployment of data-driven interoperable space solutions for public services, fostering innovation and establishing common frameworks in order to realise the full potential of public administrations' services for citizens and businesses;		EP OK to withdraw	178a
(c) entrepreneurship, from early stage to scaling-up, in accordance with Article 21 and other access to finance provisions as referred to in Article 18 and Chapter I of Title III;	AMD 87 (c) entrepreneurship, <i>including</i> from early stage to scaling-up, in accordance with Article 21 and <i>by relying on</i> other access to finance provisions as referred to in Article 18 and Chapter I of Title III;	(c) entrepreneurship, from early stage to scaling-up, in accordance with Article 21 and other access to finance provisions as referred to in Article 18 and Chapter I of Title III;	(c) entrepreneurship, including from early stage to scaling-up, in accordance with Article 21, by relying on other access to finance provisions as referred to in Article 18 and Chapter I of Title III, and by using a first contract approach;	179
(d) cooperation between undertakings in the form of space hubs bringing together, at regional and national levels, actors from the space and digital sectors, as well as users, and providing support to citizens and companies to foster entrepreneurship and skills;	AMD 88 (d) cooperation in the form of a network of space hubs bringing together, in particular at regional and national levels, actors from the space and digital sectors, as well as users, and providing support, facilities and services to citizens and companies to foster entrepreneurship and skills; fostering cooperation between	(d) the emergence of a business friendly space ecosystem through cooperation between undertakings in the form of space hubs bringing together, at regional and national levels, actors from the space and, digital and other sectors, as well as users, enhancing the synergies in the downstream sector of all components of the Programme	(d) the emergence of a business friendly space ecosystem through cooperation between undertakings in the form of a network of space hubs bringing together, at regional and national levels, actors from the space, digital and other sectors, as well as users; that network of hubs shall aim to provide support, facilities and services to citizens	180

the space hubs and the digital innovation hubs established under the Digital Europe Programme;	and providing support to citizens and companies to foster entrepreneurship and skills;	and companies to foster entrepreneurship and skills and to enhance synergies in the downstream sector and to foster cooperation with the digital innovation hubs established under the Digital Europe Programme;	
AMD 89 (da) the possible development of a 'first contract approach strategy' with all relevant public and private sector actors to support the development of space start-ups;		EP OK to withdraw	180a
AMD 90 (db) Synergies with the transport, space and digital sectors in order to foster the broader use of new technologies (such as e-call, digital tachograph, traffic supervisions and management, autonomous driving, unmanned vehicles and drones) and tackle the needs of secure and seamless connectivity, robust positioning, inter modality and interoperability, thus enhancing the competitiveness of transport services and industry;		EP OK to withdraw	180b

(e) provision of education and	AMD 91	(e) provision of education and	(e) provision of education and	181
training activities;	(e) provision of education and	training activities, including for	training activities, including for	
	training activities in order to	professionals, entrepreneurs,	professionals, entrepreneurs,	
	develop advanced space skills;	graduates and students, notably	graduates and students, notably	
		through synergies with national	through synergies with national	
		and regional initiatives and	and regional initiatives, for the	
		development of advanced skills;	development of advanced skills;	
(f) access to processing and	AMD 92	(f) access to processing and	(f) access to processing and	182
testing facilities;	(f) access to processing and	testing facilities for private and	testing facilities for private and	
	testing facilities for private and	public sector professionals,	public sector professionals,	
	public sector professionals,	students and entrepreneurs;	students and entrepreneurs;	
	students and entrepreneurs;			
(g) certification and		(g) certification and	(g) certification and	183
standardisation activities.		standardisation activities.	standardisation activities.	
		(h) reinforcement of the	(h) reinforcement of the	183a
		European supply chains across	European supply chains across	
		the Union through wide	the Union through wide	
		participation of enterprises, in	participation of enterprises, in	
		particular small and medium-	particular small and medium-	
		sized enterprises and start-ups,	sized enterprises and start-ups, in	
		in all components of the	all components of the	
		programme, notably through	programme, notably through the	
		the provisions of Article 14, and	provisions of Article 14, and	
		measures to underpin their	measures to underpin their	
		competitiveness at global level.	competitiveness at global level.	
		2. When implementing	2. When implementing	183b
		activities referred to in	activities referred to in paragraph	
		paragraph 1, the need to	1, the need to develop capacity	
		develop capacity in Member	in Member States with an	
		States with an emerging space	emerging space industry shall be	

Article 7		industry shall be supported, in order to provide equal opportunity to all Member States to participate in the space programme.	supported, in order to provide equal opportunity to all Member States to participate in the space programme.	184
Third countries and		EArticle 7 Third countries and		184
international organisations		international organisations		103
associated to the Programme		associated to the Programme		
1. The Programme's components, with the exception of the SST and GOVSATCOM, shall be open to the following third countries:	1. The programme's components Galileo, EGNOS and Copernicus and subcomponents SWE and NEO, with the exception of SST, shall be open to the participation of the European Free Trade Association (EFTA) members, which are members of the European Economic Area (EEA), in accordance with the conditions laid down in the EEA Agreement. For Copernicus, and subcomponents SWE and NEO, with the exception of SST, the following countries may participate under the following conditions:	1. The Programme's components or sub-components referred to in Article 3, with the exception of the Galileo, EGNOS, GOVSATCOM and SST and GOVSATCOM, shall be open to the participation of the following third countries:		186

(a) European Free Trade Association (EFTA) members which are members of the European Economic Area (EEA),	(a) European Free Trade Association (EFTA) members which are members of the European Economic Area (EEA),	(a) European Free Trade Association (EFTA) members which are members of the European Economic Area (EEA),	187
in accordance with the conditions laid down in the EEA agreement;	in accordance with the conditions laid down in the EEA agreement;	in accordance with the conditions laid down in the EEA aAgreement;	
		uzigreement,	

(b) acceding countries, candidate countries and potential candidates, in accordance with the general principles and general terms and conditions for their participation in Union programmes established in the respective framework agreements and Association Council decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and them;	(a) acceding countries, candidate countries and potential candidates, in accordance with the general principles and general terms and conditions for their participation in Union programmes established in the respective framework agreements and Association Council decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and them;	(b) acceding countries, candidate countries and potential candidates, in accordance with the general principles and general terms and conditions for their participation in Union programmes established in the respective framework agreements and Association Council decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and them;	188
(c) countries covered by the European Neighbourhood Policy, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and association council decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and those countries.	(b) countries covered by the European Neighbourhood Policy, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and association council decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and those countries.	(c) countries covered by the European Neighbourhood Policy, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and association council decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and those countries.	189

2. The Programme's components, with the exception of the SST, shall also be open to any third country or international organisation, in accordance with the conditions laid down in a specific agreement covering the participation of the third country or of the international organisation to any Union programme, provided that the agreement:	2. Galileo, EGNOS, Copernicus, GOVSATCOM, SWE and NEO, with the exception of SST, shall be open to the participation of any other third countryies other than already covered by paragraph 1 or international organisations, and GOVSATCOM to European Free Trade Association members, which are members of the European Economic Area (EEA), in accordance with the conditions laid down in a specific agreement in accordance with pursuant to Article 218 TFEU covering the participation of the third country or of the international organisation to any Union programme, provided that the agreement:	2. (d) The participation to the Programme's components or subcomponents, with the exception of the SST, shall also be open to any other third countryies or international organisation, in accordance with the conditions laid down in a specific agreement in accordance with Article 218 TFEU covering the participation of the third country or of the international organisation to any Union programme, provided that the agreement:	190
(a) ensures a fair balance as regards the contributions and benefits of the third country or international organisation participating in the Union programmes;	(ai) ensures a fair balance as regards the contributions and benefits of the third country or international organisation participating in the Union programmes;	(ai) ensures a fair balance as regards the contributions and benefits of the third country or international organisation participating in the Union programmes;	191
(b) lays down the conditions of participation in the programmes,	(b <u>ii</u>) lays down the conditions of participation in the programmes,	(b <u>ii</u>) lays down the conditions of participation in the programmes,	192

including the calculation of financial contributions to individual programmes and their administrative costs. These contributions shall constitute assigned revenues in accordance with Article [21(5)] of [the new Financial Regulation];	including the calculation of financial contributions to individual programmes and their administrative costs. These contributions shall constitute assigned revenues in accordance with Article [21(5)] of [the new Financial Regulation];	including the calculation of financial contributions to individual programmes and their administrative costs. These contributions shall constitute assigned revenues in accordance with Article [21(5)] of [the new Financial Regulation];	
(c) does not confer to the third country or international organisation a decisional power on the programme;	(eiii) does not confer to the third country or international organisation a decisional power on the programme; AMD 93 (covered by paragraph 3) (c) does not confer to the third country or international organisation a decisional power on the programme or, where appropriate, access to sensitive or classified information;	(eiii) does not confer to the third country or international organisation a decisional power on the programme;	193
(d) guarantees the rights of the Union to ensure sound financial management and to protect its financial interests.	(div) guarantees the rights of the Union to ensure sound financial management and to protect its financial interests.	(div) guarantees the rights of the Union to ensure sound financial management and to protect its financial interests.	194
	AMD 94 (covered by paragraph 3)		194a

(da) preserves, where appropriate, the strategic and sovereign interests of the Union in all relevant areas, including European technological or		
industrial strategic autonomy;	1a. Galileo and EGNOS shall be open to the participation of the European Free Trade Association (EFTA) members which are members of the European Economic Area (EEA), in accordance with the conditions laid down in the EEA Agreement.	194b
	2. GOVSATCOM shall be open to the participation of the European Free Trade Association (EFTA) members which are members of the European Economic Area (EEA), and Galileo, EGNOS and GOVSATCOM shall be open to the participation of any other third countries or international organisations, in accordance with the conditions laid down in a specific agreement in accordance with Article 218 TFEU covering the	194c

3. The Programme's components shall only be open to the third countries and international organisations referred to in paragraphs 1 and 2 provided that the essential security interests of the Union and its Member States are preserved.	3. The participation to the Programme's components or sub-components shall only be open to the third countries and international organisations referred to in accordance with paragraphs 1 and 2 provided that the essential strategic and sovereign interests of the Union and its Member States are preserved, including as regards	participation of the third country or international organisation to any Union programme, provided that the agreement lays down the conditions set out in litera (i) to (iv) of point (d) of paragraph 1 of this Article. 3. The participation to the Programme's components or subcomponents shall only be open to the third countries and international organisations referred to in accordance with paragraphs 1, 1a and 2 provided that the essential security interests of the Union and its Member States are preserved, including as regards the		195
	European technological or industrial strategic autonomy and security interests such as the protection of sensitive or classified information under Article 42.	protection of classified information under Article 42.].		
Article 8		EArticle 8	Article 8	196
Access to SST, GOVSATCOM and PRS by third countries or international organisations		Access to SST, GOVSATCOM and PRS services by third countries or international organisations (SST service, GOVSATCOM	Access to services by third countries or international organisations (SST service, GOVSATCOM service and Galileo Public	197

	service and Galileo Public	Regulated Service)	
	<u>Regulated Service)</u>		
1. Third countries or international organisations may become GOVSATCOM participant referred to in Article 67 or obtain access to the services provided by the SST only where, in accordance with the procedure provided for in Article 218 of the Treaty on the Functioning of the European Union, they enter into an agreement laying down the terms and conditions of the detailed rules for access to such data, information, capacities and	1. Third countries or international organisations may become have access to GOVSATCOM services participant referred to in Article 67 or obtain access to the services provided by the SST only where, in accordance with the procedure provided for in Article 218 of the Treaty on the Functioning of the European Union, they enter into an agreement laying down the terms and conditions of the detailed rules for access to such data,	1. Third countries or international organisations may have access to GOVSATCOM services only where, in accordance with the procedure provided for in Article 218 of the Treaty on the Functioning of the European Union, they enter into an agreement laying down the terms and conditions for access to GOVSATCOM services, and they comply with the provisions of Article 42.	198
data, information, capacities and services, and the framework for	information, GOVSATCOM		
exchanging and protecting	capacities and services, and they		
classified information.	comply with the provisions of		
	Article 42the framework for		
	exchanging and protecting		
	elassified information.		

		100
1a. Third countries and	1a. Third countries and	198a
international organisations not	international organisations not	
having their headquarter in the	having their headquarter in the	
Union may have access to SST	Union may have access to SST	
services referred to in point (d)	services referred to in point (d) of	
of Article 54(1) only where, in	Article 54(1) only where, in	
accordance with the procedure	accordance with the procedure	
provided for in Article 218	provided for in Article 218	
TFEU, they enter into an	TFEU, they enter into an	
agreement laying down the	agreement laying down the terms	
terms and conditions for access	and conditions for access to such	
to such services, and they	services, and they comply with	
comply with the provisions of	the provisions of Article 42.	
Article 42.		
1b. No agreement under	1b. No agreement under Article	198b
Article 218 TFEU shall be	218 TFEU shall be required for	
required for SST services	SST services which are publicly	
which are publicly available, as	available, as referred to in points	
referred to in points (a), (b) and	(a), (b) and (c) of Article 54(1).	
(c) of Article 54(1). Access to	Access to those services shall be	
those services shall be subject	subject to a request from the	
to a request from the potential	potential users.	
users.	potential aboro.	
<u>uberbi</u>		

2. The access of third countries or international organisations to the Public Regulated Service provided by Galileo shall be governed by Article 3(5) of Decision No 1104/2011/EU of the European Parliament and of the Council ⁶⁴ .	2. The access of third countries or international organisations to the Public Regulated Service provided by Galileo shall be governed by Article 3(5) of Decision No 1104/2011/EU of the European Parliament and of the Council ⁶⁵ . 2. The access of third countries or international organisations to the Public Regulated Service provided by Galileo shall be governed by Article 3(5) of Decision No 1104/2011/EU of the European Parliament and of the Council ⁶⁶ .	199
Article 9	Article 9 Article 9	200
Ownership and use of assets 1. The Union shall be the owner of all tangible and intangible assets created or developed under the Programme's components. To that aim, the Commission shall take the necessary steps to ensure that relevant contracts, agreements and other arrangements relating to those	Ownership and use of assets 1. The Union shall be the owner of all tangible and intangible assets created or developed under the Programme's components. To that aim, the Commission shall take the necessary steps to ensure that relevant contracts, agreements and other arrangements relating to those 1. The Union shall be the owner of all tangible and intangible assets created or developed under the Programme's components. To that aim, the Commission shall take the necessary steps to ensure that relevant contracts, agreements and other arrangements relating to those	202
activities which may result in the creation or development of such assets contain provisions ensuring such an ownership regime regarding those assets.	activities which may result in the creation or development of such assets contain provisions ensuring such an ownership regime regarding those assets. activities which may result in the creation or development of such assets contain provisions ensuring such an ownership regime regarding those assets.	

⁶⁴

⁶⁵

OJ L 287, 4.11.2011, p. 1–8. OJ L 287, 4.11.2011, p. 1–8. OJ L 287, 4.11.2011, p. 1–8. 66

2. Paragraph 1 shall not apply to the tangible and intangible assets created or developed under the Programme's components, where the activities which may result in the creation or development of such assets:		2. Paragraph 1 shall not apply to the tangible and intangible assets created or developed under the Programme's components, where the activities which may result in the creation or development of such assets:	2. Paragraph 1 shall not apply to the tangible and intangible assets created or developed under the Programme's components, where the activities which may result in the creation or development of such assets:	203
(a) are carried out pursuant to grants or prizes fully financed by the Union;		(a) are carried out pursuant to grants or prizes fully financed by the Union;	(a) are carried out pursuant to grants or prizes fully financed by the Union;	204
(b) are not fully financed by the Union, or		(b) are not fully financed by the Union, or	(b) are not fully financed by the Union, or	205
(c) relate to the development, manufacture or use of PRS receivers incorporating EUCI, or components of such receivers.		(c) relate to the development, manufacture or use of PRS receivers incorporating EUCI, or components of such receivers.	(c) relate to the development, manufacture or use of PRS receivers incorporating EUCI, or components of such receivers.	206
3. The Commission shall take the necessary steps to ensure that the contracts, agreements or other arrangements relating to the activities referred to in the first paragraph contain provisions setting out the appropriate ownership regime for those assets and, as regards point (c) that the Union can freely use the PRS receivers in accordance with Decision 1104/2011/EU.	AMD 95 3. The Commission shall take the necessary steps to ensure that the contracts, agreements or other arrangements relating to the activities referred to in the <i>second</i> paragraph contain provisions setting out the appropriate ownership <i>and use</i> regime for those assets and, as regards point (c) that the Union can freely use	{3. The Commission shall take the necessary steps to ensure that the contracts, agreements or other arrangements relating to the activities referred to in the first second paragraph contain provisions setting out the appropriate ownership regime for those assets and, as regards point (c) that the Union can freely use the PRS receivers in accordance with Decision 1104/2011/EU.}		207

	and grant the use of the PRS receivers in accordance with Decision 1104/2011/EU.			
4. The Commission shall seek to conclude contracts or other arrangements with third parties with regard to:		[4. The Commission shall seek to conclude contracts or other arrangements with third parties with regard to:	4. The Commission shall seek to conclude contracts or other arrangements with third parties with regard to:	208
(a) pre-existing ownership rights in respect of tangible and intangible assets created or developed under the Programme's components;		(a) pre-existing ownership rights in respect of tangible and intangible assets created or developed under the Programme's components;	(a) pre-existing ownership rights in respect of tangible and intangible assets created or developed under the Programme's components;	209
(b) the acquisition of the ownership or license rights in respect of other tangible or intangible assets necessary for the implementation of the Programme.		(b) the acquisition of the ownership or license rights in respect of other tangible or intangible assets necessary for the implementation of the Programme.}	(b) the acquisition of the ownership or license rights in respect of other tangible or intangible assets necessary for the implementation of the Programme.	210
5. The Commission shall ensure, by means of an appropriate framework, the optimal use of the tangible and intangible assets referred to in paragraphs 1 and 2 owned by the Union.		5. The Commission shall ensure, by means of an appropriate framework, the optimal use of the tangible and intangible assets referred to in paragraphs 1 and 2 owned by the Union.	5. The Commission shall ensure, by means of an appropriate framework, the optimal use of the tangible and intangible assets referred to in paragraphs 1 and 2 owned by the Union.	211

6. In particular, where those assets consist of intellectual property rights, the Commission shall manage those rights as effectively as possible, taking account of the need to protect and give value to them, of the legitimate interests of all stakeholders concerned and of the need for harmonious development of markets and new technologies and for the continuity of the services provided by the Programme's components. To that end, it shall ensure in particular that the relevant contracts, agreements and other arrangements include the possibility of transferring those rights to third parties or granting third-party licences for those rights and that the Agency can freely enjoy those rights where necessary for carrying out their tasks under this Regulation.

6. In particular, where those assets consist of intellectual property rights, the Commission shall manage those rights as effectively as possible, taking account of the need to protect and give value to them, of the legitimate interests of all stakeholders concerned and of the need for harmonious development of markets and new technologies and for the continuity of the services provided by the Programme's components. To that end, it shall ensure in particular that the relevant contracts, agreements and other arrangements include the possibility of transferring those rights to third parties or granting third-party licences for those rights, including to the creator of that intellectual **property right** and that the Agency can freely enjoy those rights where necessary for carrying out its tasks under this **Regulation.** The financial framework partnership

agreement referred to in

6. In particular, where those assets consist of intellectual property rights, the Commission shall manage those rights as effectively as possible, taking account of the need to protect and give value to them, of the legitimate interests of all stakeholders concerned and of the need for harmonious development of markets and new technologies and for the continuity of the services provided by the Programme's components. To that end, it shall ensure in particular that the relevant contracts, agreements and other arrangements include the possibility of transferring those rights to third parties or granting third-party licences for those rights, including to the creator of that intellectual property right and that the Agency can freely enjoy those rights where necessary for carrying out its tasks under this Regulation. The financial framework partnership agreement referred to in Article 29(3a) or

		Article 31(2) or the contribution agreements referred to in Article 32(1) shall contain relevant provisions to allow the use of those rights by the European Space Agency and the other entrusted entities where necessary to perform their tasks under this Regulation and the conditions for that use.	the contribution agreements referred to in Article 32(1) shall contain relevant provisions to allow the use of those rights by the European Space Agency and the other entrusted entities where necessary to perform their tasks under this Regulation and the conditions for that use.	
Article 10		Article 10	Article 10	213
Absence of guarantee		Absence of guarantee Warranty	Warranty	214
The services, data and information provided by the Programme's components shall be provided without any express or implied guarantee as regards their quality, accuracy, availability, reliability, speed and suitability for any purpose. To that aim, the Commission shall take the necessary steps to ensure that the users of those services, data and information are informed, in an appropriate manner, of the absence of any such guarantee.	AMD 96 The services, data and information provided by the Programme's components shall be provided without any express or implied guarantee as regards their quality, accuracy, availability, reliability, speed and suitability for any purpose, unless such a guarantee is required by applicable Union law for the provision of the services concerned. To that aim, the Commission shall take the necessary steps to ensure that the users of those services, data and information are informed, in an appropriate manner, of the absence of any such guarantee.	Without prejudice to the obligations imposed by legally binding provisions, Tthe services, data and information provided by the Programme's components shall be provided without any express or implied guarantee warranty as regards their quality, accuracy, availability, reliability, speed and suitability for any purpose. To that aim, tThe Commission shall take the necessary steps to ensure that the users of those services, data and information are duly informed, in an appropriate manner, of the absence of any such guarantee.	Without prejudice to the obligations imposed by legally binding provisions, the services, data and information provided by the Programme's components shall be provided without any express or implied warranty as regards their quality, accuracy, availability, reliability, speed and suitability for any purpose. The Commission shall take the necessary steps to ensure that the users of those services, data and information are duly informed.	215

TITLE II BUDGETARY CONTRIBUTION AND MECHANISMS Article 11		TITLE II BUDGETARY CONTRIBUTION AND MECHANISMS Article 11	TITLE II BUDGETARY CONTRIBUTION AND MECHANISMS Article 11	216 217 218
Budget 1. The financial envelope for the	AMD 97	1. The financial envelope for the	Budget 1. The financial envelope for the	219 220
implementation of the Programme for the period 2021 – 2027 shall be EUR [16] billion in current prices.	The financial envelope for the implementation of the Programme for the period 2021 –	implementation of the Programme for the period 2021 – 2027, including for the associated risks, shall be EUR	implementation of the Programme for the period 2021 – 2027, including for the associated risks, shall be	
	2027 shall be EUR [16,9] billion in current prices.	[16]14.880 billion fin current prices.]	EUR [16] billion [in current prices.]	
The indicative distribution of the amount referred to in the first subparagraph shall be as follows:		The indicative distribution of the amount referred to in the first subparagraph shall be as follows broken down in the following categories of expenditure:	The distribution of the amount referred to in the first subparagraph shall be broken down in the following categories of expenditure:	221
(a) for Galileo and EGNOS: EUR [9,7] billion;		(a) for Galileo and EGNOS: EUR [9,7] 9.017 billion;	Linked to MFF discussions	222

(b) for Copernicus: EUR [5,8] billion;	AMD 98 (b) for Copernicus: EUR [6] billion;	(b) for Copernicus: EUR [5,8] 5.421 billion;	Linked to MFF discussions	223
(c) for SSA/GOVSATCOM: EUR [0,5] billion.	AMD 99 (c) for SSA/GOVSATCOM: EUR [1,2] billion.	(c) for SSA/GOVSATCOM: EUR [0,5] 0.442 billion.	Linked to MFF discussions	224
	1a. The Commission may reallocate funds between the categories of expenditure referred to in paragraph 1, up to a ceiling of 7.5 % of the category of expenditure of the smaller of the two categories concerned that receives the funds or the category that provides the funds. The Commission, by means of delegated acts adopted in accordance with the article 105, may re-allocate funds between the categories of expenditure referred to in paragraph 1 when this allocation exceeds a cumulative amount greater than 7.5 % of the amount allocated to the category of	1a. The Commission may reallocate funds between the categories of expenditure referred to in paragraph 1, up to a ceiling of 7.5 % of the category of expenditure that receives the funds or the category that provides the funds. The Commission, by means of implementing acts, acting in accordance with the examination procedure referred in Article 107(3) may re-allocate funds between the categories of expenditure referred to in paragraph 1 when this allocation exceeds a cumulative amount greater than 7.5 % of the amount allocated to the category of expenditure that receives the funds or the category that	Institutional issues (delegated/implementing acts)	224a

	expenditure of the smaller of the two categories concerned that receives the funds or the category that provides the funds.	provides the funds.		
2. Cross-cutting activities as foreseen by Article 3 shall be financed under the Programme's components.	AMD 100 2. Cross-cutting activities as foreseen by <i>Articles 3, 5 and 6</i> shall be financed under the Programme's components.	2. Cross-cutting activities Additional measures as foreseen by Article 3 shall be financed under the Programme's components.	2. Additional measures as foreseen by Article 3, namely activities referred to in Article 5 and in Article 6, shall be financed under the Programme's components.	225
3. The Union budgetary appropriations assigned to the Programme shall cover all the activities required to fulfil the objectives referred to in Article 4. Such expenditure may cover:		3. The Union budgetary appropriations assigned to the Programme shall cover all the activities required to fulfil the objectives referred to in Article 4, and activities referred to in Article 5 and in Article 6. Such expenditure may cover:	3. The Union budgetary appropriations assigned to the Programme shall cover all the activities required to fulfil the objectives referred to in Article 4. Such expenditure may cover:	226
(a) studies and meetings of experts, in particular compliance with its cost and time constraints;		(a) studies and meetings of experts, in particular compliance with its cost and time constraints;	(a) studies and meetings of experts, in particular compliance with its cost and time constraints;	227
(b) information and communication activities, including corporate communication on the policy priorities of the Union where they are directly linked to the objectives of this Regulation,		(b) information and communication activities, including corporate communication on the policy priorities of the Union where they are directly linked to the objectives of this Regulation,	(b) information and communication activities, including corporate communication on the policy priorities of the Union where they are directly linked to the objectives of this Regulation,	228

with a particular view to creating synergies with other Union policies;	with a particular view to creating synergies with other Union policies;	with a particular view to creating synergies with other Union policies;	
(c) the information technology networks whose function it is to process or exchange information, and the administrative management measures, including in the field of security, implemented by the Commission;	(c) the information technology networks whose function it is to process or exchange information, and the administrative management measures, including in the field of security, implemented by the Commission;	(c) the information technology networks whose function it is to process or exchange information, and the administrative management measures, including in the field of security, implemented by the Commission;	229
(d) technical and administrative assistance for the implementation of the Programme, such as preparatory, monitoring, control, audit and evaluation activities including corporate information technology systems.	(d) technical and administrative assistance for the implementation of the Programme, such as preparatory, monitoring, control, audit and evaluation activities including corporate information technology systems.	(d) technical and administrative assistance for the implementation of the Programme, such as preparatory, monitoring, control, audit and evaluation activities including corporate information technology systems.	230
4. Actions that receive cumulative funding from different Union programmes shall be audited only once, covering all involved programmes and their respective applicable rules.	4. Actions that receive cumulative funding from different Union programmes shall be audited only once, covering all involved programmes and their respective applicable rules.	4. Actions that receive cumulative funding from different Union programmes shall be audited only once, covering all involved programmes and their respective applicable rules.	231
5. The budget commitments relating to the Programme and which cover activities extending over more than one financial year may be broken down over several	5. The budget commitments relating to the Programme and which cover activities extending over more than one financial year may be broken down over several	5. The budget commitments relating to the Programme and which cover activities extending over more than one financial year may be broken down over several years into annual instalments.	232

years into annual instalments.	years into annual instalments.		
6. Resources allocated to Member States under shared management may, at their request, be transferred to the Programme. The Commission shall implement those resources directly in accordance with point (a) of Article 62(1) of the Financial Regulation or indirectly in accordance with point (c) of that Article. Where possible those resources shall be used for the benefit of the Member State concerned.	States under shared management may, at their request, be transferred to the Programme. The Commission shall implement those resources directly in accordance with point (a) of Article 62(1) of the Financial Regulation or indirectly in accordance with point (c) of that Article. Where possible tThose resources shall be used for the benefit of the Member State concerned. This transfer of resources is subject to the conditions set out in Article 21 of the Regulation (FII) XX	6. Resources allocated to Member States under shared management may, at their request, be transferred to the Programme. The Commission shall implement those resources directly in accordance with point (a) of Article 62(1) of the Financial Regulation or indirectly in accordance with point (c) of that Article. Those resources shall be used for the benefit of the Member State concerned. This transfer of resources is subject to the conditions set out in Article 21 of the Regulation (EU) XX [Common Provisions Regulation].	233
Article 12	Article 12	Article 12	234
Assigned revenue	Assigned revenue	Assigned revenue	235
1. The revenue generated by the components of the Programme shall be paid into the Union budget and used to finance the component which generated the revenue.	components of the Programme shall be paid into the Union budget and used to finance the component which generated the	1. The revenue generated by the components of the Programme shall be paid into the Union budget and used to finance the component which generated the revenue.	236

2. The Member States may endow a component of the Programme with an additional financial contribution on condition that such additional elements do not create any financial or technical burden or any delay for the component concerned.	2. The Member States may endow a component of the Programme with an additional financial contribution on condition that such additional elements do not create any financial or technical burden or any delay for the component concerned. The Commission shall decide, in accordance with the examination procedure referred to in Article 107 (3), whether those conditions have been met.	2. The Member States may endow a component of the Programme with an additional financial contribution on condition that such additional elements do not create any financial or technical burden or any delay for the component concerned. The Commission shall decide, in accordance with the examination procedure referred to in Article 107 (3), whether those conditions have been met.	237
3. The additional funding referred to in this Article shall be treated as external assigned revenue in accordance with [Article 21(2)] of the Financial Regulation.	3. The additional funding referred to in this Article shall be treated as external assigned revenue in accordance with [Article 21(2)] of the Financial Regulation.	3. The additional funding referred to in this Article shall be treated as external assigned revenue in accordance with [Article 21(2)] of the Financial Regulation.	238
Article 13	Article 13	Article 13	239
Implementation and forms of EU funding	Implementation and forms of EU funding	Implementation and forms of EU funding	240
1. The Programme shall be implemented in direct management in accordance with the Financial Regulation or in indirect management with bodies referred to in [Article 62(1)(c)] of	1. The Programme shall be implemented in direct management in accordance with the Financial Regulation or in indirect management with bodies referred to in [Article 62(1)(c)] of	1. The Programme shall be implemented in direct management in accordance with the Financial Regulation or in indirect management with bodies referred to in [Article 62(1)(c)] of	241

the Financial Regulation.	the Financial Regulation.	the Financial Regulation.	
2. The Programme may provide funding in any of the forms laid down in the Financial Regulation, in particular grants, prizes and procurement. It may also provide financing in the form of financial instruments within blending operations.	2. The Programme may provide funding in any of the forms laid down in the Financial Regulation, in particular grants, prizes and procurement. It may also provide financing in the form of financial instruments within blending operations.	2. The Programme may provide funding in any of the forms laid down in the Financial Regulation, in particular grants, prizes and procurement. It may also provide financing in the form of financial instruments within blending operations.	242
	3. With the exception of the procurement of launch services, where the Copernicus budget is implemented by indirect management the procurement rules of the entities entrusted with budget implementation tasks shall apply to the extent allowable under Article XX of the Financial Regulation. Specific adjustments necessary to those rules shall be defined in the relevant contribution agreements.	3. Where the Copernicus budget is implemented by indirect management the procurement rules of the entities entrusted with budget implementation tasks may apply to the extent allowable under Articles 62 and 154 of the Financial Regulation. Specific adjustments necessary to those rules shall be defined in the relevant contribution agreements.	242a

TITLE III		TITLE III	TITLE III	243
FINANCIAL PROVISIONS		FINANCIAL PROVISIONS	FINANCIAL PROVISIONS	244
CHAPTER I		CHAPTER I	CHAPTER I	245
Procurement		Procurement	Procurement	246
Article 14		Article 14	Article 14	247
Principles of procurement		Principles of procurement	Principles of procurement	248
The contracting authorities shall		1. The contracting authorityies	1. The contracting authority shall	249
act in accordance with the		shall act in accordance with the	act in accordance with the	
following principles in		following principles in	following principles in	
procurement procedures for the		procurement procedures for the	procurement procedures for the	
purpose of the Programme:		purpose of the Programme:	purpose of the Programme:	
(a) to promote in all Member	AMD 101	(a) to promote in all Member	a) to promote in all Member	250
States, throughout the supply	(a) to promote <i>throughout the</i>	States, throughout the supply	States throughout the Union and,	
chain, the widest and most open	<i>Union and</i> throughout the supply	chain, the widest and most open	throughout the supply chain, the	
participation possible of start-ups,	chain, the widest and most open	participation possible of <u>all</u>	widest and most open	
new entrants and small and	participation possible of <i>all</i>	economic operators, in	participation possible of all	
medium sized enterprises and	economic operators, and in	particular start-ups, new entrants	economic operators, in particular	
other economic operators,	particular start-ups, new entrants	and small and medium sized	start-ups, new entrants and small	
including the requirement of sub-	and small and medium sized	enterprises and other economic	and medium sized enterprises,	
contracting by the tenderers;	enterprises, including the	operators , including the	including the requirement of sub-	
	requirement of sub-contracting by	requirement of sub-contracting by	contracting by the tenderers;	
	the tenderers;	the tenderers;		

(b) to avoid, where possible, the	(b) to avoid abuse of dominant	(b) to ensure effective	251
over-reliance on a single	position and, where possible, the	competition and, where possible,	
provider, in particular for critical	over reliance on a single provider,	avoid reliance on a single	
equipment and services, taking	in particular for critical	provider, in particular for critical	
into account the objectives of	equipment and services, taking	equipment and services, taking	
technological independence and	into account the objectives of	into account the objectives of	
continuity of services;	technological independence and	technological independence and	
	continuity of services;	continuity of services;	
(c) by derogation from Article	(c) by derogation from Article	(c) by derogation from Article	252
167 of the Financial Regulation,	167 of the Financial Regulation,	167 of the Financial Regulation,	
to use, wherever appropriate,	to use, wherever appropriate,	to use, wherever appropriate,	
multiple supply sources in order	multiple supply sources in order	multiple supply sources in order	
to ensure better overall control of	to ensure better overall control of	to ensure better overall control of	
all the components of the	all the components of the	all the components of the	
Programme, their cost and	Programme, their cost and	Programme, their cost and	
schedule;	schedule;	schedule;	
	(cc) to follow the principles of	(cc) to follow the principles of	252a
	open access and fair	open access and fair competition	
	competition throughout the	throughout the industrial supply	
	industrial supply chain,	chain, tendering on the basis of	
	tendering on the basis of the	the provision of transparent and	
	provision of transparent and	timely information, clear	
	timely information, clear	communication of the applicable	
	<u>communication of the</u>	procurement rules and	
	applicable procurement rules	procedures, selection and award	
	and procedures, selection and	criteria and any other relevant	
	award criteria and any other	information allowing a level-	
	relevant information allowing a	playing field for all potential	
	<u>level-playing field for all</u>	bidders, including SMEs and	
	potential bidders, including	start-ups;	

		SMEs and start-ups;		
(d) to foster the autonomy of the Union, in particular in technological terms;	AMD 102 (d) to foster the <i>strategic</i> autonomy of the Union, in particular in <i>industrial and</i> technological terms, <i>throughout the entire value chain</i> ;	(d) to foster the autonomy of the Union, in particular in technological terms;	(d) to reinforce the autonomy of the Union, in particular in technological terms;	253
	AMD 103 (da) to follow the principles of open access and fair competition throughout the industrial supply chain, tendering on the basis of the provision of transparent and timely information, clear communication of the applicable procurement rules, selection and award criteria and any other relevant information allowing a level-playing field for all potential bidders;		EP OK to withdraw	253a
(e) to ensure the security of the components of the Programme and to contribute to the protection of the essential security interests of the Union and its Member States;		(e) to ensure comply with the security requirements of the components of the Programme and to contribute to the protection of the essential security interests of the Union and its Member States;	(e) to comply with the security requirements of the components of the Programme and to contribute to the protection of the essential security interests of the Union and its Member States;	254
		ee) to promote service continuity and reliability;	(ee) to promote service continuity and reliability;	
(f) to satisfy appropriate social and environmental criteria.		(f) to satisfy appropriate social and environmental criteria.	(f) to satisfy appropriate social and environmental criteria.	255

	2. A procurement Board, within the Commission, shall scrutinise the procurement process concerning all components of the programme and monitor the contractual implementation of the EU budget delegated to entrusted entities. Representative of the	2. The procurement Board, within the Commission, shall scrutinise the procurement process concerning all components of the programme and monitor the contractual implementation of the EU budget delegated to entrusted entities. Representative of the entrusted	255a
Article 15	entrusted entities shall be invited as appropriate. Article 15	entities shall be invited as appropriate. Article 15	256
Conditional stage-payment contracts	Conditional stage-payment contracts	Conditional stage-payment contracts	257
The contracting authority may award a contract in the form of a conditional stage-payment contract.	1. With regard to operational and infrastructure-specific activities, tThe contracting authority may award a contract in the form of a conditional stage-payment contract in accordance with this article.	1. With regard to operational and infrastructure-specific activities, the contracting authority may award a contract in the form of a conditional stage-payment contract in accordance with this article.	258

2. A conditional stage-payment contract shall include a fixed stage which results in a firm commitment to provide the works, supplies or services contracted for that stage, and one or more stages which are conditional in terms of both budget and execution. The tender documents refer to the specific features of conditional stage-payment contracts. In particular, they shall specify the subject-matter of the contract, the price or the arrangements for determining the price and the arrangements for the provision of works,	2. A conditional stage-payment contract shall include a fixed stage which results in a firm commitment to provide the works, supplies or services contracted for that stage, and one or more stages which are conditional in terms of both budget and execution. The tender documents refer to the specific features of conditional stage-payment contracts. In particular, they shall specify the subject-matter of the contract, the price or the arrangements for determining the price and the arrangements for the provision of works,	2. A conditional stage-payment contract shall include a fixed stage which results in a firm commitment to provide the works, supplies or services contracted for that stage, and one or more stages which are conditional in terms of both budget and execution. The tender documents refer to the specific features of conditional stage-payment contracts. In particular, they shall specify the subject-matter of the contract, the price or the arrangements for determining the price and the arrangements for the provision of works,	259
supplies and services at each stage.	supplies and services at each stage.	supplies and services at each stage.	
3. The fixed stage obligations shall be part of a consistent whole; the same is true for the obligations under each conditional stage, taking into account the obligations under the previous stages.	3. The fixed stage obligations shall be part of a consistent whole; the same is true for the obligations under each conditional stage, taking into account the obligations under the previous stages.	3. The fixed stage obligations shall be part of a consistent whole; the same is true for the obligations under each conditional stage, taking into account the obligations under the previous stages.	260

4. Performance of each conditional stage shall be subject to a decision by the contracting authority, notified to the contractor in accordance with the contract.	4. Performance of each conditional stage shall be subject to a decision by the contracting authority, notified to the contractor in accordance with the contract. 4. Performance of each conditional stage shall be subject to a decision by the contracting authority, notified to the contractor in accordance with the contract.	261
Article 16	Article 16 Article 16	262
Cost-reimbursement contracts	Cost-reimbursement contracts Cost-reimbursement contracts	263
1. The contracting authority may opt for a full or partial cost-reimbursement based contract under the conditions laid down in paragraph 3.	1. The contracting authority may opt for a full or partial costreimbursement based contract under the conditions laid down in paragraph 3. 1. The contracting authority may opt for a full or partial costreimbursement based contract under the conditions laid down in paragraph 3.	264
The price to be paid shall consist in the reimbursement of all direct costs actually incurred by the contractor in performing the contract, such as expenditure on labour, materials, consumables, and use of the equipment and infrastructures necessary to perform the contract, indirect costs and either a profit, or an incentive fee compensation based on achieving objectives in respect of performance and delivery schedules.	The price to be paid shall consist in the reimbursement of all direct costs actually incurred by the contract, such as expenditure on labour, materials, consumables, and use of the equipment and infrastructures necessary to perform the contract, indirect costs and either, a fixed profit, or and an appropriate incentive fee compensation based on achieving objectives in respect of performance and delivery The price to be paid shall consist in the reimbursement of all direct costs actually incurred by the contract or in performing the contract, such as expenditure on labour, materials, consumables, and use of the equipment and infrastructures necessary to perform the contract, indirect costs, a fixed profit, and an appropriate incentive fee based on achieving objectives in respect of performance and delivery schedules.	265

	schedules.		
2. Cost reimbursement contracts shall stipulate a maximum ceiling price.	2. Cost reimbursement contracts shall stipulate a maximum ceilin price.	2. Cost reimbursement contracts shall stipulate a maximum ceiling price.	266
3. The contracting authority may opt for a full or partial cost-reimbursement contract in cases where it is difficult or unsuitable to provide an accurate fixed price due to the uncertainties inherent in performance of the contract because:	3. The contracting authority may opt for a full or partial costreimbursement contract in cases where it is difficult or unsuitable to provide an accurate fixed price due to the uncertainties inherent in performance of the contract because:	opt for a full or partial cost- reimbursement contract in cases where it is difficult or unsuitable	267
(a) the contract has very complex features or features which require the use of a new technology and, therefore, includes a significant number of technical risks; or	(a) the contract has very complex features or features which require the use of a new technology and, therefore, includes a significant number of technical risks; or	e features or features which require	268
(b) the activities subject to the contract must, for operational reasons, start immediately even though it is not yet possible to determine a firm fixed price in full due to significant risks or because the performance of the contract depends in part on the performance of other contracts.	(b) the activities subject to the contract must, for operational reasons, start immediately even though it is not yet possible to determine a firm fixed price in full due to significant risks or because the performance of the contract depends in part on the performance of other contracts.	(b) the activities subject to the contract must, for operational reasons, start immediately even though it is not yet possible to determine a firm fixed price in full due to significant risks or because the performance of the contract depends in part on the performance of other contracts.	269

4. The ceiling price for a full or partial cost-reimbursement contract shall be the maximum price payable. The contract price may be amended in accordance with [Article 172] of the Financial Regulation.		4. The ceiling price for a full or partial cost-reimbursement contract shall be the maximum price payable. The contract price may be amended in accordance with [Article 172] of the Financial Regulation.	4. The ceiling price for a full or partial cost-reimbursement contract shall be the maximum price payable. The contract price may be amended in accordance with [Article 172] of the Financial Regulation.	270
Article 17		Article 17		271
Subcontracting		Subcontracting		272
1. To encourage new entrants, small and medium enterprises and start-ups, and to offer the widest possible geographic coverage while protecting the Union's strategic autonomy, the contracting authority may request that the tenderer subcontract part of the contract by competitive tendering at the appropriate levels of subcontracting to companies other than those which belong to the tenderer's group.	1. To encourage new entrants, in particular small and medium-sized enterprises and start-ups, and to offer the widest possible geographic coverage while protecting the Union's strategic autonomy, the contracting authority shall endeavour to request the tenderer to subcontract part of the contract by competitive tendering at the appropriate levels of subcontracting to companies other than those which belong to the tenderer's group.	1. To encourage new entrants, in particular cross border participation of small and medium enterprises and start-ups, and to offer the widest possible geographic coverage while protecting the Union's strategic autonomy, the contracting authority may shall request that the tenderer subcontract part of the contract by competitive tendering at the appropriate levels of subcontracting to companies other than those which belong to the tenderer's group.	1. To encourage new entrants, small and medium enterprises and start-ups and their cross border participation, and to offer the widest possible geographic coverage while protecting the Union's autonomy, the contracting authority shall request that the tenderer subcontract part of the contract by competitive tendering at the appropriate levels of subcontracting to companies other than those which belong to the tenderer's group.	273
2. The contracting authority shall express the requisite share of the	<u>AMD 105</u>	2. The contracting authority shall express the requisite share of the	EP OK to withdraw	274

contract to be subcontracted in the form of a range from a minimum to a maximum percentage.	2. The contracting authority shall express the requisite share of the contract to be subcontracted <i>to industry at all levels, pursuant to paragraph 1</i> , in the form of a range from a minimum to a maximum percentage.	contract to be subcontracted in the form of a range from a minimum to a maximum percentage.		
3. Any derogation from a request in accordance with paragraph 1 shall be justified by the tenderer.	AMD 106 3. Any derogation from a request in accordance with paragraph 1 shall be justified by the tenderer and assessed by the contracting authority	3. Any derogation from a request in accordance with paragraph 1 shall be justified by the tenderer and assessed by the contracting authority.	3. Any derogation from a request in accordance with paragraph 1 shall be justified by the tenderer.	275
		4. For contracts above ten million Euro, the contracting authority shall aim at ensuring that at least 30% of the value of the contract is subcontracted by competitive tendering at various levels to companies outside the group of the prime contractor, notably in order to enable the cross-border participation of SMEs. The Commission shall inform the Committee on the fullfilment of this objective for contracts signed after the entry into force of this Regulation.	4. For contracts above ten million Euro, the contracting authority shall aim at ensuring that at least 30% of the value of the contract is subcontracted by competitive tendering at various levels to companies outside the group of the prime contractor, notably in order to enable the cross-border participation of SMEs. The Commission shall inform the Committee referred to in Article 107 (1) on the fullfilment of this objective for contracts signed after the entry into force of this Regulation.	275a

CHAPTER II	CHAPTER II	CHAPTER II	276
Grants, prizes and blending	Grants, prizes and blending	Grants, prizes and blending	277
operations	operations	operations	
Article 18	Article 18	Article 18	278
Grants and prizes	Grants and prizes	Grants and prizes	279
1. The Union may cover up to 100% of the eligible costs, without prejudice to the cofinancing principle.	1. The Union may cover up to 100% of the eligible costs, without prejudice to the cofinancing principle.	1. The Union may cover up to 100% of the eligible costs, without prejudice to the cofinancing principle.	280
2. By way of derogation from [Article 181(6)] of the Financial Regulation, indirect eligible costs shall be determined by applying a flat rate of 25 % of the total direct eligible costs, excluding direct eligible costs for subcontracting and the costs of resources made available by third parties which are not used on the premises of the beneficiary, as well as financial support to third parties.	2. By way of derogation from [Article 181(6)] of the Financial Regulation, indirect eligible costs shall be determined by when applying a flat rates, the authorising officer responsible may authorise or impose funding of the beneficiary's indirect costs up to a maximum of 25 % of the total eligible direct eligible costs, excluding direct eligible costs for subcontracting and the costs of resources made available by third parties which are not used on the action premises of the beneficiary, as well as financial support to third parties.	2. By way of derogation from [Article 181(6)] of the Financial Regulation when applying a flat rates, the authorising officer responsible may authorise or impose funding of the beneficiary's indirect costs up to a maximum of 25 % of total eligible direct costs for the action.	281

3. Notwithstanding paragraph 2, indirect costs may be declared in the form of a lump sum or unit costs when provided for in the work programme referred to in Article 100.	3. Notwithstanding paragraph 2, indirect costs may be declared in the form of a lump sum or unit costs when provided for in the work programme referred to in Article 100.	3. Notwithstanding paragraph 2, indirect costs may be declared in the form of a lump sum or unit costs when provided for in the work programme referred to in Article 100.	282
4. By way of derogation from [Article 204] of the Financial Regulation, the maximum amount of financial support that can be paid to a third party shall not exceed EUR 200 000.	4. By way of derogation from [Article 204] of the Financial Regulation, the maximum amount of financial support that can be paid to a third party shall not exceed EUR 200 000.	4. By way of derogation from [Article 204] of the Financial Regulation, the maximum amount of financial support that can be paid to a third party shall not exceed EUR 200 000.	283
Article 19	Article 19	Article 19	284
Joint calls for grants	Joint calls for grants	Joint calls for grants	285
The Commission or funding body may issue a joint call for proposals with:	The Commission or funding body an entrusted entity in the context of the Programme may issue a joint call for proposals with entities, bodies or persons referred to in Article 62(1)(c) of the Financial Regulation.:	The Commission or an entrusted entity in the context of the Programme may issue a joint call for proposals with entities, bodies or persons referred to in Article 62(1)(c) of the Financial Regulation.:	286
(a) third countries, including their scientific and technological organisations or agencies;	(a) third countries, including their scientific and technological organisations or agencies;	CONS text deletion OK	287
(b) international organisations;	(b) international organisations;	CONS text deletion OK	288
(c) non-profit legal entities.	(c) non-profit legal entities.	CONS text deletion OK	289

In the case of a joint call, joint	AMD 107	In the case of a joint call, the	In the case of a joint call, the	290
procedures shall be established	In the case of a joint call, joint	rules referred to in Title VIII of	rules referred to in Title VIII of	
for selection and evaluation of	procedures shall be established	the Financial Regulation shall	the Financial Regulation shall	
proposals. The procedures must	for selection and evaluation of	apply. The evaluation joint	apply. The evaluation procedures	
involve a balanced group of	proposals. The procedures <i>shall</i>	procedures shall be established	shall involve a balanced group of	
experts appointed by each party.	involve a balanced group of	for selection and evaluation of	experts appointed by each party.	
	experts appointed by each party.	proposals. The procedures must	The evaluation committees shall	
	Such experts shall not evaluate,	involve a balanced group of	comply with Article 150 of the	
	advise or assist on matters in	experts appointed by each party.	Financial Regulation.	
	relation to which they have a	The evaluation committees		
	conflict of interests.	shall comply with Article 150 of		
		the Financial Regulation.		
		The grant agreement shall	The grant agreement shall specify	290a
		specify the arrangement	the arrangement applicable to	
		applicable to intellectual	intellectual property rights.	
		property rights.		
Article 20		Article 20	Article 20	291
Grants for pre-commercial		Grants for pre-commercial	Grants for pre-commercial	292
procurement and procurement		procurement and procurement	procurement and procurement	
of innovative solutions		of innovative solutions	of innovative solutions	
1. Actions may involve or have as		1. Actions may involve or have as	1. Actions may involve or have as	293
their primary aim pre-commercial		their primary aim pre-commercial	their primary aim pre-commercial	
procurement or public		procurement or public	procurement or public	
procurement of innovative		procurement of innovative	procurement of innovative	
solutions that shall be carried out		solutions that shall be carried out	solutions that shall be carried out	
by beneficiaries which are		by beneficiaries which are	by beneficiaries which are	
contracting authorities or		contracting authorities or	contracting authorities or	
contracting entities as defined in		contracting entities as defined in	contracting entities as defined in	
Directives 2014/24/EU,		Directives 2014/24/EU,	Directives 2014/24/EU,	

2014/25/EU and 2009/81/EC of the European Parliament and of the Council.	2014/25/EU and 2009/81/EC of the European Parliament and of the Council.	2014/25/EU and 2009/81/EC of the European Parliament and of the Council.	
2. The procurement procedures:	2. The procurement procedures:	2. The procurement procedures:	294
(a) shall comply with the principles of transparency, non-discrimination, equal treatment, sound financial management, proportionality and competition rules;	(a) shall comply with the principles of transparency, non-discrimination, equal treatment, sound financial management, proportionality and competition rules;	(a) shall comply with the principles of transparency, non-discrimination, equal treatment, sound financial management, proportionality and competition rules;	295
(b) for pre-commercial procurement, may provide for specific conditions such as the place of performance of the procured activities being limited to the territory of the Member States and of associated countries;	(b) for pre-commercial procurement, may provide for specific conditions such as the place of performance of the procured activities being limited to the territory of the Member States and of associated countries;	(b) for pre-commercial procurement, may provide for specific conditions such as the place of performance of the procured activities being limited to the territory of the Member States and of associated countries;	296
(c) may authorise the award of multiple contracts within the same procedure (multiple sourcing); and	(c) may authorise the award of multiple contracts within the same procedure (multiple sourcing); and	(c) may authorise the award of multiple contracts within the same procedure (multiple sourcing); and	297
(d) shall provide for the award of the contracts to the tender(s) offering best value for money while ensuring absence of conflict of interest.	(d) shall provide for the award of the contracts to the tender(s) offering best value for money while ensuring absence of conflict of interest.	(d) shall provide for the award of the contracts to the tender(s) offering best value for money while ensuring absence of conflict of interest.	298

299

3. The contractor generating results in pre-commercial procurement shall own at least the attached intellectual property rights. The contracting authorities shall enjoy at least royalty-free access rights to the results for their own use and the right to grant, or require the participating contractors to grant, nonexclusive licences to third parties to exploit the results for the contracting authority under fair and reasonable conditions without any right to sub-license. If a contractor fails to commercially exploit the results within a given period after the pre-commercial procurement as identified in the contract, the contracting authorities can require it to transfer any ownership of the results to the contracting authorities.

- 3. The contractor generating results in pre-commercial procurement shall own at least the attached intellectual property rights. The contracting authorities shall enjoy at least royalty-free access rights to the results for their own use and the right to grant, or require the participating contractors to grant, nonexclusive licences to third parties to exploit the results for the contracting authority under fair and reasonable conditions without any right to sub-license. If a contractor fails to commercially exploit the results within a given period after the pre-commercial procurement as identified in the contract, the contracting authorities can may require it to transfer any ownership of the results to the contracting authorities.
- 3. The contractor generating results in pre-commercial procurement shall own at least the attached intellectual property rights. The contracting authorities shall enjoy at least royalty-free access rights to the results for their own use and the right to grant, or require the participating contractors to grant, nonexclusive licences to third parties to exploit the results for the contracting authority under fair and reasonable conditions without any right to sub-license. If a contractor fails to commercially exploit the results within a given period after the pre-commercial procurement as identified in the contract, the contracting authorities may require it to transfer any ownership of the results to the contracting authorities.

Article 21	Article 21	Article 21	300
Blending operations	Blending operations	Blending operations	301
Blending operations decided	Blending operations decided	Blending operations decided	302
under this Programme shall be	under this Programme shall be	under this Programme shall be	
implemented in accordance with	implemented in accordance with	implemented in accordance with	
the [InvestEU regulation] and	the [InvestEU regulation] and	the [InvestEU regulation] and	
Title X of the Financial	Title X of the Financial	Title X of the Financial	
Regulation.	Regulation.	Regulation.	
CHAPTER IV	CHAPTER IV	CHAPTER IV	303
Other financial provisions	Other financial provisions	Other financial provisions	304
Article 22	Article 22	Article 22	305
Cumulative, complementary	Cumulative, complementary and	Cumulative and <u>alternative</u>	306
and combined funding	combined alternative funding	funding	
1. An action that has received a	1. An action that has received a	1. An action that has received a	307
contribution from another Union	contribution from another Union	contribution from another Union	
programme may also receive a	programme may also receive a	programme may also receive a	
contribution under the	contribution under the	contribution under the	
Programme, provided that the	Programme, provided that the	Programme, provided that the	
contributions do not cover the	contributions do not cover the	contributions do not cover the	
same costs. The rules of each	same costs. The rules of each	same costs. The rules of each	
contributing Union programme	contributing Union programme	contributing Union programme	
shall apply to its respective	shall apply to its respective	shall apply to its respective	
contribution to the action. The	contribution to the action. The	contribution to the action. The	
cumulative funding shall not	cumulative funding shall not	cumulative funding shall not	
exceed the total eligible costs of	exceed the total eligible costs of	exceed the total eligible costs of	
the action and the support from	the action and the support from	the action and the support from	
the different Union programmes	the different Union programmes	the different Union programmes	
may be calculated on a pro-rata	may be calculated on a pro-rata	may be calculated on a pro-rata	
basis in accordance with the	basis in accordance with the	basis in accordance with the	

documents setting out the conditions for support.	documents setting out the conditions for support. documents setting out the conditions for support.	
2. Actions awarded a Seal of Excellence certification, or which shall comply with the following cumulative conditions:	2. Actions awarded a Seal of Excellence certification <u>under</u> this Programme , or which shall by complying with the following cumulative, comparative conditions: 2. Actions awarded a Seal of Excellence certification under this Programme, by complying with the following cumulative, comparative conditions: 30 2. Actions awarded a Seal of Excellence certification under this Programme, by complying with the following cumulative, comparative conditions:	08
(a) they have been assessed in a call for proposals under the Programme;	(a) they have been assessed in a call for proposals under the Programme; (a) they have been assessed in a call for proposals under the Programme;	09
(b) they comply with the minimum quality requirements of that call for proposals;	(b) they comply with the minimum quality requirements of that call for proposals; (b) they comply with the minimum quality requirements of that call for proposals; 33	10
(c) they may not be financed under that call for proposals due to budgetary constraints;	(c) they may not be financed under that call for proposals due to budgetary constraints; (c) they may not be financed under that call for proposals due to budgetary constraints; (c) they may not be financed under that call for proposals due to budgetary constraints;	11
may receive support from the European Regional Development Fund, the Cohesion Fund, the European Social Fund+ or the European Agricultural Fund for Rural Development, in accordance with paragraph 5 of Article [67] of Regulation (EU) XX [Common Provisions Regulation] and Article [8] or Regulation (EU) XX [Financing,	may receive support from the European Regional Development Fund, the Cohesion Fund, or the European Social Fund+ or the European Agricultural Fund for Rural Development, in accordance with paragraph 5 of Article [67] of Regulation (EU) XX [Common Provisions Regulation] and Article [8] or Regulation (EU) XX [Financing,	12

management and monitoring of the Common Agricultural Policy], provided that such actions are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply.	management and monitoring of the Common Agricultural Policy], provided that such actions are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply.		
Article 23	Article 23	Article 23	313
Partnerships	Partnerships	Partnerships	314
1. The Programme may be implemented through partnerships.	1. The Programme may be implemented through partnerships.	<u>Deletion OK</u>	315
2. The partnerships in which the Union participate shall:	2. The partnerships in which the Union participate shall:	<u>Deletion OK</u>	316
(a) be established in cases where they will achieve the objectives of the Union space programme more effectively than the Union alone;	(a) be established in cases where they will achieve the objectives of the Union space programme more effectively than the Union alone;	<u>Deletion OK</u>	317
(b) be based on the principles of Union added value, transparency, openness, impact, leverage effect, long-term financial commitment of all the involved parties, flexibility, coherence and complementarity with Union, local, regional national and international initiatives, and shall take into account risk sharing,	(b) be based on the principles of Union added value, transparency, openness, impact, leverage effect, long-term financial commitment of all the involved parties, flexibility, coherence and complementarity with Union, local, regional national and international initiatives, and shall take into account risk sharing,	Deletion OK	318

and conditions for liability and ownership of tangible and intangible assets.		and conditions for liability and ownership of tangible and intangible assets.		
Article 24		Article 24	Article 24	319
Joint procurement		Joint procurement	Joint procurement	320
1. In addition to the provisions of [Article 165] of the Financial Regulation, the Commission and the Agency may carry out joint procurement procedures with the European Space Agency or other international organisations involved in implementing the components of the Programme.	AMD 108 1. In addition to the provisions of [Article 165] of the Financial Regulation, the Commission <i>or</i> the Agency may carry out joint procurement procedures with the European Space Agency or other international organisations involved in implementing the components of the Programme.	1. In addition to the provisions of [Article 165] of the Financial Regulation, the Commission and/or the Agency may carry out joint procurement procedures with the European Space Agency or other international organisations involved in implementing the components of the Programme.	1. In addition to the provisions of [Article 165] of the Financial Regulation, the Commission and/or the Agency may carry out joint procurement procedures with the European Space Agency or other international organisations involved in implementing the components of the Programme.	321
2. The procurement rules applicable in [Article 165] of the Financial Regulation shall apply by analogy provided that in any case the procedural provisions applicable to the Institutions are applied.		2. The procurement rules applicable in [Article 165] of the Financial Regulation shall apply by analogy provided that in any case the procedural provisions applicable to the <u>Union</u> <u>H</u> institutions are applied.	2. The procurement rules applicable in [Article 165] of the Financial Regulation shall apply by analogy provided that in any case the procedural provisions applicable to the Union institutions are applied.	322

Article 25		Article 25	323
Protection of essential security		Protection of essential security	324
interests		interests Eligibility and	
		participation conditions for the	
		preservation of the security,	
		integrity and resilience of	
		operational systems of the	
		European Union	
Where necessary for the	<u>AMD 109</u>	Where necessary for the	325
protection of the essential	Where necessary for the	protection of the essential	
security interest of the Union and	protection of the essential	security interest of the Union and	
its Member States, in particular	security interest of the Union and	its Member States, in particular	
with regard to the need to	its Member States, in particular	with regard to the need to	
preserve the integrity and	with regard to the need to	preserve the integrity and	
resilience of the Union systems,	preserve the integrity and	resilience of the Union systems,	
as well as the autonomy of the	resilience of the Union systems,	as well as the autonomy of the	
industrial basis on which they	as well as the autonomy of the	industrial basis on which they	
rely, the Commission shall set the	industrial basis on which they	rely, t <u>T</u> he Commission shall set	
requisite eligibility conditions	rely, the Commission shall set the	<u>lay down</u> the requisite eligibility	
applicable to the procurement,	requisite eligibility conditions	and participation conditions	
grants or prizes covered by this	applicable to the procurement,	applicable to the procurement,	
Title. Particular regard shall be	grants or prizes covered by this	grants or prizes covered by this	
had, for that purpose, to the need	Title. Particular regard shall be	Title- if it deems that this is	
for eligible undertakings to be	had, for that purpose, to the need	necessary and appropriate to	
established in a Member State, to	for eligible undertakings to be	preserve the security, integrity	
commit to carry out any relevant	established in a Member State, to	and resilience of the operational	
activities inside the Union and to	commit to carry out any relevant	<u>Union systems, taking into account</u> the objective to promote the Union	
be effectively controlled by	activities inside the Union. Those	strategic autonomy, in particular	
Member States or nationals of	conditions shall be included in	in terms of technology across key	
Member States. Those conditions	the documents relating to the	technologies and value chains	

shall be included in the documents relating to the procurement, grant or prize, as applicable. In the case of procurement, the conditions shall apply to the full life cycle of the resulting contract.	procurement, grant or prize, as applicable. In the case of procurement, the conditions shall apply to the full life cycle of the resulting contract.	while preserving an open economy. The Commission shall first inform the committee referred to in point (e) of Article 107(1) and shall take utmost account of the Member States' views on the scope of application and justification of those eligibility and participation conditions. Particular regard shall be had, for that purpose, to the need for eligible undertakings to be established in a Member State, to commit to carry out any relevant activities inside the Union and to be effectively controlled by Member States or nationals of Member States. Those conditions shall be included in the documents relating to the procurement, grant or prize, as applicable. In the case of procurement, the conditions shall apply to the full life cycle of the resulting contract. 2. The conditions referred to in paragraph 1 shall be as defined herein. They specify that	325a
		eligible legal entities shall: (a) be established in a Member State and their executive management structures be	325b
		established therein,	

(b) commit to carry out all	325c
<u>relevant activities in one or</u>	
more Member States, and	
(c) be established in a Member	325d
State and not be subject to	
control by a third country or by	
a third country entity.	
For the purpose of this Article,	325e
control means the ability to	
exercise a decisive influence on	
a legal entity directly or	
indirectly through one or more	
intermediate legal entity.	
For the purpose of this Article,	325f
executive management	
structure means body of a legal	
entity appointed in accordance	
with national law, and, where	
applicable, reporting to the	
chief executive officer, or any	
other person having	
comparable decisional power,	
which is empowered to	
establish the legal entity's	
strategy, objectives and overall	
direction, and which oversees	
and monitors management	
decision-making.	
3. The Commission may	325g
waive the conditions under	
points (a) or (b) of paragraph 2	
for a particular legal entity	

1 4 1 1 1	
upon evaluation based on the	
<u>following cumulative criteria:</u>	
(a) For specific technologies,	325h
goods or services needed for the	
activities referred to in	
paragraph 1 no substitutes are	
readily available in the	
Member States,	
	325i
(b) the legal entity is established	3231
in an EEA country or an EFTA	
country which has concluded	
an international agreement	
with the Union as referred to in	
Article 7 and their executive	
management structures are	
established therein and the	
activities linked to the	
procurement, grant or prize are	
carried out in this third country	
or in one or more such third	
country; and	
(c) sufficient measures are	325j
	3231
implemented to ensure the	
protection of EU classified	
information under Article 42 as	
well as ensure the integrity,	
security and resilience of the	
Programme components, their	
operation and their services.	
By derogation to point (b), a	325k
legal entity established in	
another third country may only	

be authorised if no substitutes	
are readily available in the	
EEA or EFTA countries and	
the conditions of point (a) and	
(c) are met.	
3a. The Commission may	3251
waive the condition under point	
(c) of paragraph 2 if the legal	
entity established in a Member	
State provides the following	
guarantees:	
(a) control over the legal entity	325m
is not exercised in a manner	
that restrains or restricts its	
ability to carry out the	
procurement, grant or prize	
and to deliver results, in	
particular through reporting	
duties;	
(b) the controlling third	325n
country or a third country	
entity shall commit to refrain	
from exercising any directive	
rights over or calling in any	
reporting duties from the legal	
entity in relation to the	
procurement, grant or prize;	
and	
(c) the legal entity complies	325o
with Article 34(5).	
3b. The Member State's	325p
competent authorities where	•

the legal entity is established	
shall assess whether the legal	
entity complies with the	
guarantees referred to in point	
(c) of paragraphs 3 and in	
paragraph 3a of this Article.	
The Commission shall comply	
with this assessment.	
4. The Commission shall	325q
provide the following to the to	224
the Committee referred to in	
point (e) of Article 107(1):	
(a) the scope of application of	325r
eligibility and participation	3231
conditions referred to in	
paragraph 1 of this Article;	
(b) details and justifications on	325s
the waivers granted in	3238
accordance with this Article;	
and	
	2054
(c) the evaluation that was the	325t
basis for a waiver, subject to	
paragraphs 3 and 3a of this	
Article, without divulging	
commercially sensitive	
information.	
5. Those conditions set out	325u
in paragraphs 2, 3 and 3a of	
this Article shall be included in	
the documents relating to the	
procurement, grant or prize, as	
applicable. In the case of	

procurement, the conditions	
shall apply to the full life cycle	
of the resulting contract.	
	205
6. This article is without	325v
prejudice to Decision	
1104/2011/EU and Commission	
Delegated Decision C(2015)	
6123, Regulation (EU)	
2019/452, Council Decision	
2013/488/EU and Commission	
Decision 2015/444 as well as	
without prejudice to the	
security vetting carried out by	
Member States with regard to	
legal entities involved in	
activities requiring access to	
EU classified information	
subject to the applicable	
national laws and regulations.	
If contracts resulting from the	
application of Article 25 are	
classified, eligibility and	
participation conditions to be	
laid down by the Commission	
must be without prejudice to	
the competence of national	
security authorities. This	
Article must not interfere with,	
amend or contradict any	
-	
existing Facility Security	
Clearance and Personnel	
Security Clearance process	

	within a Member State.		
Article 26	Article 26	Article 26	326
Protection of the financial	Protection of the financial	Protection of the financial	327
interests of the Union	interests of the Union	interests of the Union	
Where a third country	Where a third country	Where a third country	328
participates in the Programme by	participates in the Programme by	participates in the Programme by	
a decision under an international	a decision under an international	a decision under an international	
agreement or by virtue of any	agreement or by virtue of any	agreement or by virtue of any	
other legal instrument, the third	other legal instrument, the third	other legal instrument, the third	
country shall grant the necessary	country shall grant the necessary	country shall grant the necessary	
rights and access required for the	rights and access required for the	rights and access required for the	
authorizing officer responsible,	authorizing officer responsible,	authorising officer responsible,	
the European Anti-Fraud Office	the European Anti-Fraud Office	OLAF and the European Court of	
(OLAF), the European Court of	(OLAF), the European Court of	Auditors to comprehensively	
Auditors to comprehensively	Auditors to comprehensively	exert their respective	
exert their respective	exert their respective	competences. In the case of	
competences. In the case of	competences. In the case of	OLAF, such rights shall include	
OLAF, such rights shall include	OLAF, such rights shall include	the right to carry out	
the right to carry out	the right to carry out	investigations, including on-the-	
investigations, including on-the-	investigations, including on-the-	spot checks and inspections,	
spot checks and inspections,	spot checks and inspections,	provided for in Regulation (EU,	
provided for in Regulation (EU,	provided for in Regulation (EU,	Euratom) No 883/2013 of the	
Euratom) No 883/2013 of the	Euratom) No 883/2013 of the	European Parliament and of the	
European Parliament and of the	European Parliament and of the	Council concerning	
Council concerning	Council concerning	investigations conducted by the	
investigations conducted by the	investigations conducted by the	European Anti-Fraud Office. ⁶⁷	
European Anti-Fraud Office	European Anti-Fraud Office		
(OLAF).	(OLAF).		

Provisions on the protection of the Union's financial interests (Recitals 23 and 24 and Article 26) also been adapted to be in line with the horizontal guidance (doc. 5146/19).

TITLE IV		TITLE IV	TITLE IV	329
GOVERNANCE OF THE		GOVERNANCE OF THE	GOVERNANCE OF THE	330
PROGRAMME		PROGRAMME	PROGRAMME	
Article 27		Article 27	Article 27	331
Principles of governance		Principles of governance	Principles of governance	332
The governance of the		The governance of the	The governance of the	333
Programme shall be based on the		Programme shall be based on the	Programme shall be based on the	
following principles:		following principles:	following principles:	
(a) strict distribution of tasks and	AMD 110	(a) strict clear distribution of	(a) clear distribution of tasks and	334
responsibilities between the	(a) strict distribution of tasks	tasks and responsibilities between	responsibilities between the	
entities involved in the	and responsibilities between the	the entities involved in the	entities involved in the	
implementation of the	entities involved in the	implementation of <u>each</u>	implementation of each	
Programme, in particular between	implementation of the	component and measure of the	component and measure of the	
the Member States, the	Programme, in particular between	Programme, in particular between	Programme, in particular between	
Commission, the Agency and the	the Member States, the	the Member States, the	the Member States, the	
European Space Agency;	Commission, the Agency and the	Commission, the Agency and the	Commission, the Agency and the	
	European Space Agency, based	European Space Agency and the	European Space Agency and the	
	on each entity's competences,	European Organisation for the	European Organisation for the	
	improving transparency,	Exploitation of Meteorological	Exploitation of Meteorological	
	effectiveness and cost-efficiency	Satellites, building on their	Satellites, building on their	
	and avoidance of overlap of	respective competence and	respective competence and	
	activities;	avoiding any overlap in tasks	avoiding any overlap in tasks and	
		and responsibilities;	responsibilities;	
		(aa) pertinence of the	(aa) pertinence of the	334a
		governance structure to the	governance structure to the	
		specific needs of each	specific needs of each component	
		component and measure of the	and measure of the Programme as	
		Programme as appropriate;	appropriate;	

(b) strong control of the	AMD 111	(b) strong control of the	(b) strong control of the	335
Programme, including strict	(b) strong control of the	Programme, including strict	Programme, including strict	
adherence to cost and schedule by	Programme, including strict	adherence to cost and, schedule	adherence to cost, schedule and	
all the entities, within their	adherence to cost and <i>technical</i>	and performance by all the	performance by all the entities,	
respective fields of competence	<i>performance</i> by all the entities,	entities, within their respective	within their respective role and	
in accordance with this	within their respective fields of	fields of competence role and	tasks in accordance with this	
Regulation;	responsibility in accordance with	tasks in accordance with this	Regulation;	
	this Regulation;	Regulation;		
(c) optimisation and		(c) transparent and cost-	(c) transparent and cost-efficient	336
rationalisation of the use of		efficient management;	management;	
structures;		optimisation and rationalisation		
		of the use of structures;		
		(cc) service continuity and	(cc) service continuity and	336a
		necessary infrastructure	necessary infrastructure	
		continuity, including protection	continuity, including protection	
		from relevant threats;	from relevant threats;	

(d) systematic consideration of the needs of users of the services provided by the Programme's components, as well as of scientific and technological evolutions relating to those services;	AMD 112 (d) systematic consideration of the needs of users of the services provided by the Programme's components, as well as of scientific and technological evolutions relating to those services, also through the consultation of the advisory User Fora at national and Union level;	(d) systematic <u>and structured</u> consideration of the needs of users of the <u>data</u> , <u>information</u> <u>and</u> services provided by the Programme's components, as well as of <u>related</u> scientific and technological evolutions relating to those services;	(d) systematic and structured consideration of the needs of users of the data, information and services provided by the Programme's components, as well as of related scientific and technological evolutions;	337
(e) constant efforts to control and reduce risks.		(e) constant efforts to control and reduce risks.	(e) constant efforts to control and reduce risks.	338
Article 28		Article 28	Article 28	339
Role of the Member States		Role of the Member States	Role of the Member States	340
1. The Member States may participate in the Programme by contributing with their technical competence, know-how and assistance, in particular in the field of safety and security, and, where necessary, by making available to the Union the information and infrastructure in their possession or located on their territory, including by ensuring an efficient and obstacle free access and use of in-situ data and cooperating with the		1.The Member States may participate in the Programme by contributing subject to mutually agreed conditions. Member States who participate in the Programme shall contribute with their technical competence, know-how and assistance, in particular in the field of safety and security, and/or, where necessary appropriate and possible, by making available to the Union the data, information, services and infrastructure in	1. The Member States may participate in the Programme. Member States who participate in the Programme shall contribute with their technical competence, know-how and assistance, in particular in the field of safety and security, and/or, where appropriate and possible, by making available to the Union the data, information, services and infrastructure in their possession or located on their territory, including by ensuring an efficient	341

Commission to improve the availability of in-situ data required by the Programme.		their possession or located on their territory, including by ensuring an efficient and obstacle free access and use of in-situ data and cooperating with the Commission to improve the availability of in-situ data required by the Programme, taking into account applicable licences and obligations.	and obstacle free access and use of in-situ data and cooperating with the Commission to improve the availability of in-situ data required by the Programme, taking into account applicable licences and obligations.	
2. The Commission or, for the tasks referred to in Article 30, the Agency may entrust specific tasks to Member States or national agencies or to groups of these Member States or national agencies. The Member States shall take all the necessary measures to ensure the smooth functioning of the Programme and the promotion of their use, including by helping to protect the frequencies required for this programme.	2. The Commission or, for the tasks referred to in Article 30, the Agency may entrust specific tasks to Member States or to groups of these Member States, subject to specific case-by-case agreement. The Member States shall take all the necessary measures to ensure the smooth functioning of the Programme and the promotion of their use, including by helping to protect the frequencies required for this programme at an adequate level.	2. The Commission may entrust, by means of contribution agreements, specific tasks to Member States or to groups of Member States. The Commission, by means of implementing act, acting in accordance with or, for the tasks advisory procedure referred to in Article 30 107(2), shall adopt the contribution decision regarding the contribution agreement.	Update of 4 column table to reflect approved Common Understanding 2. The Commission may entrust, by means of contribution agreements, specific tasks to Member State organisations, where such organisations have been designated by the Member State concerned. The Commission, by means of implementing act, acting in accordance with the advisory procedure referred to in Article 107(2), shall adopt the contribution decisions regarding the contribution agreements.	342

2a. In certain duly justified and exceptional circumstances linked to objectives of the programme, the Agency may entrust specific tasks to Member States or national agencies or to groups of these Member States or national agencies.	Update of 4 column table to reflect approved Common Understanding 2a. In certain duly justified circumstances, for the tasks referred to in Article 30 the Agency may entrust, by means of contribution agreements, specific tasks to Member State organisations, where such organisations have been designated by the Member State concerned.	342a
2aa. The Member States shall take all the necessary measures to ensure the smooth functioning of the Programme and the promotion of their use, including by helping to protect, at the adequate level, the frequencies required for this programme	2aa. The Member States shall take all the necessary measures to ensure the smooth functioning of the Programme, including by helping to protect, at the adequate level, the frequencies required for this programme	342b
2b. The Member States and the Commission may cooperate to widen the uptake of data, information and services provided by the programme.	2b. The Member States and the Commission may cooperate to widen the uptake of data, information and services provided by the programme.	342c

		2c. Whenever possible, the contribution of Member States to the User Forum referred to in Article 107 shall be based on a systematic consultation of user communities at national level.	2c. Whenever possible, the contribution of Member States to the User Forum referred to in Article 107 shall be based on a systematic and coordinated consultation of end user communities at national level, in particular regarding Galileo, EGNOS and Copernicus.	342d
	AMD 114 2a. The Member States shall pursue a proactive and coordinated consultation of endusers' communities, in particular regarding Galileo, EGNOS and Copernicus, including through advisory User Fora.		EP OK to withdraw	342e
3. The Member States and Commission shall work together in order to develop the in-situ component necessary for the uptake of space systems and to facilitate the use of in-situ data sets to their full potential.		3. The Member States and Commission shall work together cooperate in order to develop the in-situ component and ground calibration services necessary for the uptake of space systems and to facilitate the use of in-situ and reference data sets to their full potential, building on	3. The Member States and Commission shall cooperate in order to develop the in-situ component and ground calibration services necessary for the uptake of space systems and to facilitate the use of in-situ and reference data sets to their full potential, building on existing	343

		existing capacities.	capacities.	
4. In the field of security, the Member States shall perform the tasks referred to in Article 34(4).		4. In the field of security, the Member States shall perform the tasks referred to in Article 34(4).	4. In the field of security, the Member States shall perform the tasks referred to in Article 34(4).	344
Article 29		Article 29	Article 29	345
Role of the Commission		Role of the Commission	Role of the Commission	346
1. The Commission shall have overall responsibility for the implementation of the Programme, including in the field of security. It shall, in accordance with this Regulation, determine the priorities and long-term evolution of the Programme and shall supervise its implementation, having due regard to its impact on other policies of the Union.	1. The Commission shall have overall responsibility for the implementation of the Programme and the responsibility in the field of security for the components of the Programme not entrusted to the Agency pursuant to Article 30. It shall, in accordance with this Regulation, determine the priorities and long-term evolution of the Programme and shall supervise its implementation, having due regard to its impact on other policies of the Union.	1. The Commission shall have overall responsibility for the implementation of the Programme, including in the field of security, without prejudice to Member States' prerogatives in the area of national security. It shall, in accordance with this Regulation, determine the priorities and long-term evolution of the Programme, in line with the user requirements, and shall supervise its implementation, having due regard without prejudice to its impact on other policies of the Union.	1. The Commission shall have overall responsibility for the implementation of the Programme, including in the field of security, without prejudice to Member States' prerogatives in the area of national security. It shall, in accordance with this Regulation, determine the priorities and long-term evolution of the Programme, in line with the user requirements, and shall supervise its implementation, without prejudice to other policies of the Union.	347

2. The Commission shall manage the component of the Programme where such management is not entrusted to another entity.	AMD 116 2. The Commission shall manage the component of the Programme where such management is not entrusted to other entities referred to in Articles 30, 31 and 32.	2. The Commission shall manage the any component or sub-component of the Programme where such management is not entrusted to another entity.	2. The Commission shall manage any component or sub-component of the Programme not entrusted to another entity, in particular GOVSATCOM, NEO, space weather and the activites referred to in Art. 54(d).	348
3. The Commission shall ensure a clear division of tasks between the various entities involved in the Programme and coordinate the activities of those entities.	AMD 117 3. The Commission shall ensure a clear division of tasks between the various entities involved in the Programme and coordinate the activities of those entities and shall ensure the full protection of the interest of the Union, the sound management of its funds and the application of its rules, in particular those related to procurement. Therefore the Commission shall conclude with the Agency and the European Space Agency a Financial Framework Partnership agreement, related to the tasks entrusted to the two entities, as referred to in Article 31a.	3. The Commission shall ensure a clear division of tasks and responsibilities between the various entities involved in the Programme and coordinate the activities of those entities.	3. The Commission shall ensure a clear division of tasks and responsibilities between the various entities involved in the Programme and coordinate the activities of those entities. The Commission shall also ensure that all the entrusted entities involved in the implementation of the programme protect the interest of the Union, guarantee the sound management of the Union's funds and comply with the Financial Regulation and this Regulation.	349

	AMD 118 3a. Concerning the specific provision on the functioning and the governance of space weather and NEO functions, and GOVSATCOM, the Commission shall adopt delegated acts, in accordance with Article 105.		EP OK to withdraw	349a
			3a. The Commission, shall conclude with the Agency and, taking into account the 2004 Framework agreement, the European Space Agency, a Financial Framework Partnership Agreement as provided for in [Article 130] of the Financial Regulation and referred to in Article 31a.	349b
4. When necessary for the smooth functioning of the Programme and the smooth provision of the services provided by the Programme's components, the Commission shall, by means of implementing acts, determine the technical and operational specifications required for the implementation of and evolution of those components and of the	4. When necessary for the smooth functioning of the Programme and the smooth provision of the services provided by the Programme's components, the Commission shall, by means of delegated acts, determine the high-level requirements for the implementation of and evolution	4. When necessary for the smooth functioning of the Programme and the smooth provision of the services provided by the Programme's components, the Commission shall, by means of implementing acts, determine the technical and operational specifications required requirements needed for the implementation of and evolution	Institutional issues (delegated/implementing acts)	350

services they provide after having consulted users and all the other relevant stakeholders. When determining those technical and operational specifications, the Commission shall avoid reducing the general security level and to meet a backward compatibility imperative.	of those components and of the services they provide after having consulted users and all the other relevant stakeholders, <i>including the downstream sector</i> . When determining those <i>high-level requirements</i> , the Commission shall avoid reducing the general security level and to meet a backward compatibility imperative.	of those components and of the services they provide after having consulted users,-including through the User Forum referred to in Article 107,-and all the other relevant stakeholders. When determining those technical and operational specifications requirements, the Commission shall avoid reducing the general security level and to meet a backward compatibility imperative.	
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3).	AMD 120 Those <i>delegated</i> acts shall be adopted in accordance with Article 21.	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3).	351

352

5. The Commission shall promote and ensure the uptake and use of the data and services provided by the Programme's components in the public and private sectors, including by supporting appropriate development of those services and by fostering a stable long-term environment. It shall develop synergies between the applications of the various components of the Programme. It shall ensure complementarity, consistency, synergies and links between the Programme and other Union actions and programmes.

AMD 121

- 5. The Commission shall ensure complementarity, consistency, synergies and links between the Programme and other Union actions and programmes. It shall, in close cooperation with the Agency and, where applicable, the European Space Agency and the Copernicus entrusted entities support and contribute to:
- the activities relating to the uptake and use of the data and services provided by the Programme's components in the public and private sectors;
- the development of synergies between the applications;
- the appropriate development of those services;
- fostering a stable long-term environment.

- 5. The Commission shall promote and ensure the uptake and use of the data and services provided by the Programme's components in the public and private sectors, including by supporting appropriate development of those services and user-friendly interfaces, and by fostering a stable long-term environment. It shall develop appropriate synergies between the applications of the various components of the Programme. It shall ensure complementarity, consistency, synergies and links between the Programme and other Union actions and programmes.
- The Commission shall ensure that the uptake and use of the data and services provided by the Programme's components in the public and private sectors is promoted and maximised, without prejudice to the tasks of the Agency or of other entrusted entities. including by supporting appropriate development of those services and user-friendly interfaces, and by fostering a stable long-term environment. It shall develop appropriate synergies between the applications of the various components of the Programme. It shall ensure complementarity, consistency, synergies and links between the Programme and other Union actions and programmes.

6. Where appropriate, it shall ensure the coordination with activities carried out in the space sector at Union, national and international level. It shall encourage cooperation between the Member States and promote convergence of their technological capacities and developments in the space domain.

AMD 122

6. Where appropriate and in cooperation with the Agency and the European Space Agency, it shall ensure the coordination with activities carried out in the space sector at Union, national and international level. It shall encourage cooperation between the Member States and promote convergence of their technological capacities and developments in the space domain.

6. Where appropriate, it the Commission shall ensure the coordination coherence of activities performed in the context of the Programme with activities carried out in the field of space sector at Union, national and or international level. It shall may encourage cooperation between the Member States and promote, when pertinent to the Programme, facilitate convergence of their technological capacities and developments in the space

(*) See also Recital (27) as modified.

domain. (*)

Where appropriate, the Commission shall ensure the coherence of activities performed in the context of the Programme with activities carried out in the field of space at Union, national or international level. It shall encourage cooperation between the Member States and, when pertinent to the Programme. facilitate convergence of their technological capacities and developments in the space domain. To this end, the Commission shall, where appropriate and in their field of competence, cooperate with the Agency and the European Space Agency.

353

		7. The Commission shall inform the Committee referred to in article 107 of the interim and final results of the evaluation of any procurement tenders and of any contracts with public and private entities, including the information relating to subcontracting.	7. The Commission shall inform the Committee referred to in article 107 of the interim and final results of the evaluation of any procurement tenders and of any contracts with public and private entities, including subcontracts.	353a
Article 30		Article 30	Article 30	354
Role of the Agency		Role of the Agency	Role of the Agency	355
1. The Agency shall have the following own tasks:		1. The Agency shall have the following own tasks:	1. The Agency shall have the following own tasks:	356
(a) ensure, through its Security Accreditation Board, the security accreditation of all the components of the Programme in accordance with Chapter II of Title V;		(a) ensure, through its Security Accreditation Board, the security accreditation of all the components of the Programme in accordance with Chapter II of Title V;	(a) ensure, through its Security Accreditation Board, the security accreditation of all the components of the Programme in accordance with Chapter II of Title V;	357
(b) perform the tasks referred to in Article 34(2) and (3);		(b) perform the tasks referred to in Article 34(2) and (3);	(b) perform other tasks referred to in Article 34(2) and (3);	358
	AMD 123 (ba) promote and ensure the uptake and use of the data and services provided by the Programme's components, including the development of downstream applications and		EP OK to withdraw	358a

services based on the Programme's components;		
AMD 124 (bb) implement actions in support of an innovative Union Space Sector in accordance with Article 6;	EP OK to withdraw	358b
AMD 125 (b c) support access to finance through the financial instruments under Title III and InvestEU, as well as, in cooperation with EIB, through the financial instruments established by the latter addressing in particular SMEs;	EP OK to withdraw	358c

(c) undertake communication and promotion activities, and activities relating to the commercialisation of the services offered by Galileo and EGNOS;	(c) undertake communication and promotion activities, and activities relating to the commercialisation of the services offered <i>in particular</i> by Galileo, EGNOS, <i>and Copernicus</i> ;	(c) undertake communication and promotion activities, and <u>in</u> <u>particular with regard to</u> activities relating to the eommercialisation <u>market</u> <u>uptake</u> of the services offered by Galileo and EGNOS;	(c) undertake communication, market development and promotion activities of the services offered by Galileo and EGNOS, in particular activities relating to the market uptake and users needs' coordination;	359
			(ca) undertake communication, promotion and market development activities of data, information and services offered by Copernicus, without prejudice to the activities performed by other entrusted entities and the Commission;	359x
	AMD 127 (ca) as regards Galileo and EGNOS: managing Galileo and EGNOS, as referred to in Article 43;		EP OK to withdraw	359a
(d) provide technical expertise to the Commission.	AMD 128 (d) provide technical expertise to the Commission, avoiding duplication with ESA tasks under Article 27 and 31.	(d) provide technical expertise to the Commission.	(d) provide expertise to the Commission, including for the preparation of the downstream space-related research priorities.	360

2. The Commission shall entrust the following tasks to the Agency:		2. The Commission shall entrust the following tasks to the Agency:	2. The Commission shall entrust the following tasks to the Agency:	361
(a) managing the exploitation of EGNOS and Galileo, as referred to in Article 43;	AMD 129 deleted	(a) managing the exploitation of EGNOS and Galileo, as referred to in Article 43; (*)	(a) managing the exploitation of EGNOS and Galileo, covering the actions referred to in Article 43;	362
(b) overarching coordination of user-related aspects of GOVSATCOM in close collaboration with relevant Union agencies and EEAS for crisis management missions and operations;		(b) overarching coordination of user-related aspects of GOVSATCOM in close collaboration with Member States, other entities, relevant Union agencies and EEAS for crisis management missions and operations;	(b) overarching coordination of user-related aspects of GOVSATCOM in close collaboration with Member States, other entities, relevant Union agencies and EEAS for crisis management missions and operations;	363
	AMD 130 (ba) provide recommendations to the Commission on the priorities of space domain in Horizon Europe and participate in its implementation;		EP OK to withdraw	363a

(c) implementing activities relating to the development of downstream applications and services based on the components of the Programme.	AMD 131 deleted	(c) implementing activities relating to the development of downstream applications and services based on the components of the Programme, where funding have been made available for such activities in the context of the Horizon Europe Programme established under Regulation xx or where necessary to fulfill the objectives refer to in Article 4(1)(b).	(c) implementing activities relating to the development of downstream applications based on the components of the Programme, including fundamental elements and integrated applications based on the data and services provided by Galileo, EGNOS and Copernicus, including where funding have been made available for such activities in the context of the Horizon Europe Programme established under Regulation xx or where necessary to fulfill the objectives referred to in Article 4(1)(b);	364
			(d) undertake activities related to user uptake of data, information and services, offered by the programme's components other than Galileo and EGNOS, without prejudice to Copernicus activities and Services entrusted to other entities;	364a

			(e) specific actions referred to in Article 6.	364b
3. The Commission may entrust other tasks to the Agency, including undertaking communication, promotion, and marketing of data and information activities, as well as other activities related to user uptakes with regard to the Programme's components other than Galileo and EGNOS.	3. The Commission may entrust other tasks to the Agency, avoiding duplication and on the basis of improved efficiency in the implementation of the Programme's objectives.	3. The Commission may entrust other tasks to the Agency; including undertaking: a) communication, promotion, and marketing of data and information activities, as well as other activities related to user uptakes with regard to the Programme's components other than Galileo and EGNOS, without prejudice to Copernicus activities entrusted to other entities. (b) other actions referred to in Article 6	3. The Commission may, on the basis of the assessments referred to in Article 102(6), entrust other tasks, to the Agency, provided that they do not duplicate activities performed by another entrusted entitiesy in the context of the Programme and provided that they aim to improve the efficiency of the implementation of the Programme's activities.	365
	AMD 133 3a. The Agency may sign partnership agreements or other agreements with national space agencies, a group of national space agencies or other entities for the purpose of fulfilment of its tasks.		EP OK to withdraw	365a

4. The tasks referred to in paragraphs 2 and 3 shall be entrusted by the Commission by means of a contribution agreement in accordance with [Article 2(18)] and [Title VI] of the Financial Regulation.	4. The tasks referred to in paragraphs 2 and 3 shall be entrusted by the Commission by means of a contribution agreement in accordance with [Article 2(18)] and [Title VI] of the Financial Regulation and shall be reviewed in accordance with Article 102(6) of this Regulation, in particular regarding the Copernicus component.	4. The tasks referred to in paragraphs 2 and 3 shall be entrusted by the Commission, under the Financial Framework Partnership referred to in Article 31(2), by means of a contribution agreement in accordance with [Article 2(18)] and [Title VI] of the Financial Regulation. The Commission, by means of implementing act, acting in accordance with the advisory procedure, shall adopt the contribution decision regarding the contribution agreement. The European Parliament, and the Council shall be informed in advance of the contribution agreements to be concluded by the Union, as represented by the Commission, and the Agency.	CONS text deletion OK	366
	AMD 135 4a. Whenever entrusting tasks to the Agency the Commission shall ensure appropriate funding for their management and execution including adequate human and administrative resources.		3a. Whenever activities are entrusted to the Agency, appropriate financial, human and administrative resources shall be ensured for their implementation.	366a

		5. The Agency may entrust, by means of contribution agreements, specific activities to other entities.	Update of 4 column table to reflect approved Common Understanding 5. By way of derogation from Art 62(1) of the Financial Regulation and subject to the Commission's assessment of the protection of the Union's interests, the Agency may entrust, by means of contribution agreements, specific activities to other entities in areas of their respective competence, under the conditions of indirect management applying to the Commission.	366b
Article 31		Article 31		367
Role of the European Space Agency		Role of the European Space Agency		368
1. The European Space Agency may be entrusted with the following tasks:		1. The European Space Agency may shall be entrusted with the following tasks:	1. Provided that the interest of the Union is protected, #the European Space Agency shall be entrusted with the following tasks:	369
(a) as regards Copernicus: development, design and construction of the Copernicus space infrastructure, including the operations of that infrastructure;	AMD 136 (a) as regards Copernicus: development, design and construction of the Copernicus space <i>and ground</i> infrastructure, including the operations of that infrastructure;	(a) as regards Copernicus: coordination of the space component and the overall implementation for the Copernicus space component and its evolution, design, development, design procurement, deployment and construction of the Copernicus	(a) as regards Copernicus: coordination of the space component and the implementation for the Copernicus space component and its evolution, design, development, and construction of the Copernicus space infrastructure, including the	370

other entities, and, where appropriate, access to third party data. entities, and, where appropriate, access to third party data.
--

(b) as regards Galileo and EGNOS: systems evolution, development of the ground segment and the design and development of satellites;	AMD 137 (b) as regards Galileo and EGNOS: support to the Agency in the execution of its core tasks. When provided for in specific agreements concluded between the Agency and the European Space Agency, procurement in the name and on behalf of the Agency of systems evolution, design and development of the ground segment and the design and development of the space segment;	(b) as regards Galileo and EGNOS: systems evolution, design and development of parts of the ground segment and the design and development of satellites, including testing and validation;	(b) as regards Galileo and EGNOS: systems evolution, design and development, of parts of the ground segment and of satellites, including testing and validation;	371
(c) as regards all the components of the Programme with research and development activities in its fields of expertise.	AMD 138 (c) as regards all the components of the Programme with research and development activities concerning the Programme components infrastructures.	(c) as regards all the components of the Programme with research and development activities in its fields of expertise.	(c) as regards all the components of the Programme with upstream research and development activities in its fields of expertise.	372
	AMD 139 (ca) encouragement of the cooperation between the Member States and promotion of the convergence of their technological capacities and developments in the space segment.		EP OK to withdraw	372a

			1a. On the basis of an assessment by the Commission, the European Space Agency may be entrusted with other tasks based of the needs of the programme, provided that they do not duplicate activities performed by another entrusted entity in the context of the Programme and provided that they aim to improve the efficiency of the implementation of the Programme's activities.	372b
2. The Commission shall conclude with the Agency and the European Space Agency a financial framework partnership agreement as provided for in [Article 130] of the Financial Regulation. That financial framework partnership agreement shall:	AMD 140 deleted	2. The Commission, taking into account the 2004 Framework agreement, shall conclude with the Agency and the European Space Agency a financial framework partnership agreement as provided for in [Article 130] of the Financial Regulation. That financial framework partnership agreement shall:	CONS text deletion OK	373
 clearly define the responsibilities and obligations of the European Space Agency with regard to the Programme; 	deleted	(a) clearly define the responsibilities and obligations of the Commission, the Agency and the European Space Agency with regard to each component of the Programme and necessary coordination and control mechanisms;	CONS text deletion OK	374

 require that the European Space Agency complies with the security rules of the Union programme, in particular with regard to the processing of classified information; 	deleted	(b) require that the European Space Agency complies with applies the Union security rules of the Union programme, defined in particular with regard to the processing of classified information the security agreements entered into between the Union, and its Institutions and Agencies, with ESA;	CONS text deletion OK	375
– stipulate the conditions of the management of funds entrusted to the European Space Agency, particularly with regard to public procurement, management procedures, the expected results measured by performance indicators, applicable measures in the event of deficient or fraudulent implementation of the contracts in terms of costs, schedule and results, as well as the communication strategy and the rules regarding ownership of all tangible and intangible assets; these conditions shall be in conformity with Titles III and V of this regulation and the Financial Regulation;	deleted	(c) stipulate the conditions of the management of funds entrusted to the European Space Agency, particularly with regard to public procurement, management procedures, the expected results measured by performance indicators, applicable measures in the event of deficient or fraudulent implementation of the contracts in terms of costs, schedule and results, as well as the communication strategy and the rules regarding ownership of all tangible and intangible assets; these conditions shall be in conformity with Titles III and V of this regulation and the Financial Regulation;	CONS text deletion OK	376

- require the participation of the Commission and, when relevant, the Agency in the Tender Evaluation Board meetings of the European Space Agency with regard to the Programme;	deleted	(d) require the participation of experts appointed by the Commission and, when relevant, the Agency in the Tender Evaluation Board meetings of the European Space Agency with regard to the Programme, while preserving the technical independence of the Tender Evaluation Board;	CONS text deletion OK	377
 establish the monitoring and control measures, which shall include, in particular, a cost forecast system, the systematic provision of information to the Commission or, where appropriate, to the Agency, on costs and schedule, and in the event of a discrepancy between the planned budgets, performance and schedule, corrective action ensuring performance of the tasks assigned within the limits of the allocated budgets and penalties against the European Space Agency where this discrepancy is directly attributable to it; 	deleted	(e)establish the monitoring and control measures, which shall include, in particular, a cost forecast system, the systematic provision of information to the Commission or, where appropriate, to the Agency, on costs and schedule, and in the event of a discrepancy between the planned budgets, performance and schedule, corrective action ensuring performance of the tasks assigned within the limits of the allocated budgets and penalties against the European Space Agency where this discrepancy is directly attributable to it;	CONS text deletion OK	378

				379
 establish the principles for the 	deleted	<u>(f)</u> establish the principles for	CONS text deletion OK	317
remuneration of the European		the remuneration of the European		
Space Agency, which shall be		Space Agency for each		
proportionate to the difficulty of		component of the programme,		
the tasks to be carried out, in line		which shall be proportionate to		
with market prices and the fees of		the difficulty of the tasks to be		
the other entities involved,		carried out, in line		
including the Union, and may,		commensurate with market		
where appropriate, be based on		prices and the conditions under		
performance indicators; those		which the fees actions are		
fees shall not cover general		implemented, taking due		
overheads which are not		account of the other entities		
associated with the activities		involved, including the Union		
entrusted to the European Space		situations of crisis and fragility,		
Agency by the Union.		and may, where appropriate, be		
		based on performance indicators;		
		those fees based; the		
		remuneration shall not cover		
		general overheads which are not		
		associated with the activities		
		entrusted to the European Space		
		Agency by the Union.		
				380
3. The conclusion of the financial	<u>AMD 141</u>	3. The conclusion of the financial	CONS text deletion OK	300
framework partnership agreement		framework partnership agreement		
referred to in paragraph 2 shall be	deleted	referred to in paragraph 2 shall be		
contingent upon the		contingent upon the		
establishment, within the		establishment, within ensure that		
European Space Agency, of		the European Space Agency, of		
internal structures and of an		internal structures and of an		
operational method, in particular		operational method, in particular		
for decision-making,		for decision-making,		

liability, which make it possible to ensure maximum protection for the interests of the Union and to comply with its decisions, including for the activities financed by the European Space Agency, which have an impact on the Programme.	liability, which make it possible takes appropriate measures to ensure maximum the protection for of the interests of the Union and to comply with its the decisions, including for the activities financed by the European Space Agency, which have an impact on the Programme taken by the Commission for each component in application of this regulation.		380a
	3x. The Commission shall decide on the financial framework partnership agreement by means of implementing act, acting in accordance with the examination procedure.	CONS text deletion OK	3004

		3a. Under the financial framework partnership agreement referred to in paragraph 2, the tasks referred to in paragraph 1 shall be entrusted to the European Space Agency, by means of contribution agreements. The Commission, by means of implementing act, acting in accordance with the advisory procedure, shall adopt the contribution decision regarding the contribution The European Parliament and the Council shall be informed in advance of the contribution agreements to be concluded.	CONS text deletion OK	380b
4. Without prejudice to the financial framework partnership agreement referred to in paragraph 4, the Commission or the Agency may ask the European Space Agency to provide technical expertise and the information necessary to perform the tasks which are assigned to them by this Regulation.	AMD 142 deleted	4. Without prejudice to the financial framework partnership agreement referred to in paragraph 4 2, the Commission or the Agency may ask request the European Space Agency to provide technical expertise and the information necessary to perform the tasks which are assigned to them by this Regulation under conditions to be mutually agreed.	4. Without prejudice to the financial framework partnership agreement referred to in Article 31a, the Commission or the Agency may request the European Space Agency to provide technical expertise and the information necessary to perform the tasks which are assigned to them by this Regulation under conditions to be mutually agreed.	381

	Article 31a	381x
AMD 143 Article 31 a The financial framework partnership agreement	The financial framework partnership agreement	381a
1. The Commission shall conclude with the Agency and the European Space Agency a financial framework partnership agreement as provided for in [Article 130] of the Financial Regulation. That financial framework partnership agreement shall:	1. The financial framework partnership agreement referred to in Article 29(3a) shall:	381b
(a) clearly define the roles, responsibilities and obligations of the Commission, the Agency and the European Space Agency with regard to the Programme;	(a) clearly define the roles, responsibilities and obligations of the Commission, the Agency and the European Space Agency with regard to each component of the Programme and necessary coordination and control mechanisms;	381c

(b) clearly define the instruments of coordination and control for the implementation of the Programme components, taking into consideration the Commission's roles and responsibilities to carry out overall coordination of the Programme components;	(b) require that the European Space Agency applies the Union security rules defined in the security agreements entered into between the Union, and its Institutions and Agencies, with ESA, in particular with regard to the processing of classified information;	381d
(c) require that the European Space Agency comply with the security rules of the Union programme, in particular with regard to the processing of classified information;	(c) stipulate the conditions of the management of funds entrusted to the European Space Agency, particularly with regard to public procurement, including the application of Union procurement rules when procuring in the name and on behalf of the Union or the application of the rules of the entrusted entity in accordance with Article 154 of the Financial Regulation, management procedures, the expected results measured by performance indicators, applicable measures in the event of deficient or fraudulent implementation of the contracts in terms of costs, schedule and results, as well as	381e

	the communication strategy and the rules regarding ownership of all tangible and intangible assets; these conditions shall be in conformity with Titles III and V of this Regulation and with the Financial Regulation;
(d) stipulate the condition management of funds of to the European Space including the application. Union public procurem when procuring in the control of the Union, management procedure expected results measure expected results measure performance indicators applicable measures in of deficient or fraudule implementation of the coin terms of costs, scheded results, as well as the communication strategy rules regarding owners tangible and intangible these conditions shall be conformity with Titles of this Regulation and Financial Regulation;	entrusted Agency, on of ent rules, name and es, the red by , the event ent eontracts ule and ey and the hip of all assets; e in UI and V

the rele rele Ten mee Age Proposed beh	require the participation of Commission and, when want, the Agency in the eder Evaluation Board etings of the European Space ency with regard to the gramme, where the latter cures in the name and on alf of the Union pursuant to agraph 1a;	(d) require that, whenever a Tender Evaluation Board is established by the Agency or the European Space Agency for a procurement action performed under the FFPA, experts from the Commission and, where relevant, the other entrusted entity shall participate as member in the Tender Evaluation Board meetings. Such participation shall be without prejudice to the technical independence of the Tender Evaluation Board;	381g
con incl fore provided for approximately cost even the perj corr perj assi	establish the monitoring and trol measures, which shall lude, in particular, a cost exast system, the systematic vision of information to the nmission or, where ropriate, to the Agency, on ts and schedule, and in the nt of a discrepancy between planned budgets, formance and schedule, rective action ensuring formance of the tasks igned within the limits of the cated budgets and penalties	(e) establish the monitoring and control measures, which shall include, in particular, a cost forecast system, the systematic provision of information to the Commission or, where appropriate, to the Agency, on costs and schedule, and in the event of a discrepancy between the planned budgets, performance and schedule, corrective action ensuring performance of the tasks within the allocated budgets;	381h

against the European Space Agency where this discrepancy is directly attributable to it;		
(g) establish the principles for the remuneration of the European Space Agency, taking into consideration its cost model as a public entity, which shall be proportionate to the difficulty of the tasks to be carried out, in line with market prices and the fees of the other entities involved, including the Union, and may, where appropriate, be based on performance indicators; those fees shall not cover general overheads which are not associated with the activities entrusted to the European Space Agency by the Union;	(f) establish the principles for the remuneration of the European Space Agency for each component of the programme, which shall be commensurate with the conditions under which the actions are implemented, taking due account of situations of crisis and fragility, and, where appropriate, be performance based; the remuneration shall only cover general overheads which are associated with the activities entrusted to the European Space Agency by the Union;	381i
(h) require that the European Space Agency ensures full protection of the interests of the Union and its decisions, which may also lead to the European Space Agency having to adapt its decision-making, management methods and liability provisions.	(g) provide that the European Space Agency takes appropriate measures to ensure the protection of the interests of the Union and to comply with the decisions taken by the Commission for each component in application of this Regulation;	381j

2. Without prejudice to the financial framework partnership agreement referred to in Article 31a, the Commission or the Agency may ask the European Space Agency to provide technical expertise and the information necessary to perform the tasks which are assigned to them by this Regulation. The conditions for such requests and their implementation shall be mutually agreed.		EP OK to withdraw	381k
	2. The Commission shall decide on the financial framework partnership agreement by means of implementing act, acting in accordance with the examination procedure.	Institutional issues (delegated/implementing acts)	3811

381m Institutional issues **Under the Financial** (delegated/implementing acts) Framework Partnership Agreement referred to in paragraph 1 of this Article, the tasks referred to in Article 30(2) and (3) shall be entrusted to the Agency and the tasks referred to in Article 31(1) shall be entrusted to ESA by means of contribution agreements. The Commission shall adopt the contribution decision regarding the contribution agreements by means of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 107(2). The European **Parliament and the Council** shall be informed in advance of the contribution agreements to be concluded.

Article 32		Article 32		382
Role of other entities	AMD 144 Role of EUMETSAT and other entities	Role of other entities	Role of EUMETSAT and other entities	383
1. The Commission may entrust, in full or in part, by means of contribution agreements the implementation of the Programme's components to entities other than those referred to in Article 30 and 31, including:	AMD 145 1. The Commission may entrust, in full or in part, by means of contribution agreements, the implementation of the <i>following tasks</i> to entities other than those referred to in Article 30 and 31, including:	1. The Commission may entrust, in full or in part, by means of contribution agreements the implementation of the Programme's components to entities other than those referred to in Article 30 and 31, including:	1. The Commission may entrust, in full or in part, by means of contribution agreements, the implementation of the following tasks to entities other than those referred to in Article 30 and 31, including:	384
(a) the operation of the Copernicus space infrastructure or parts thereof, which may be entrusted EUMETSAT;	AMD 146 (a) the <i>upgrading and</i> operation of the Copernicus space infrastructure or parts thereof, which may be entrusted EUMETSAT;	(a) the operation of the Copernicus space infrastructure or parts thereof <u>and</u> , <u>where appropriate</u> , access to contributing mission data, which may be entrusted <u>to</u> EUMETSAT;	(a) the upgrading, operations preparation and operation of the Copernicus space infrastructure or parts thereof and, where appropriate, managing access to contributing mission data, which may be entrusted to EUMETSAT;	385
(b) the implementation of the Copernicus services or parts thereof to relevant agencies, bodies or organisations.	AMD 147 (b) the implementation of the Copernicus services or parts thereof to relevant agencies, bodies or organisations, managing also the relevant third party information	[-(b) the implementation of the Copernicus sServices or parts thereof to relevant agencies, bodies or organisations such as the European Environment Agency (EEA), the European Border and Coast Guard	(b) the implementation of the Copernicus Services or parts thereof to relevant agencies, bodies or organisations such as the European Environment Agency (EEA), the European Border and Coast Guard Agency	386

	acquisition.	Agency (FRONTEX), the	(FRONTEX), the European	
		European Maritime Safety	Maritime Safety Agency	
		Agency (EMSA), the	(EMSA), the European Union	
		European Union Satellite	Satellite Centre (SATCEN) and	
		Centre (SATCEN) and the	the European Centre for Medium	
		European Centre for	Range Weather Forecasts	
		Medium Range Weather	(ECMWF); the tasks entrusted to	
		Forecasts (ECMWF); the	those agencies, bodies or	
		tasks entrusted to those	organisations shall be performed	
		agencies, bodies or	in sites located in the Union. An	
		organisations shall be	agency, body or organisation,	
		performed in sites located in	already in the process of	
		the Union. An agency, body	relocating its entrusted tasks to	
		or organisation, already in	the Union, is allowed to continue	
		the process of relocating its	performing these tasks in a	
		entrusted tasks to the Union,	location outside the Union for a	
		is allowed to continue	limited period, ending at the	
		performing these tasks in a	latest by 31 December 2023;	
		location outside the Union for		
		a limited period, ending at		
		the latest by 31 December		
		<u>2023;</u> }		
		2.51	D.100	387
2. The criteria for the selection of		2. The criteria for the selection	Difference in Common	
such entrusted entities shall, in		of such entrusted entities shall,	understanding EP/CONS	
particular, reflect their ability to		in particular, reflect their	2. The criteria for the selection of	
ensure the continuity and, where		ability to ensure the continuity		
appropriate, the security of the		and, where appropriate, the	such entrusted entities shall, in	
operations with no or minimal		security of the operations with	particular, reflect their ability to	
disruption of Copernicus		no or minimal disruption of	ensure the continuity and, where	
activities.		Copernicus Programme	appropriate, the security of the	
		activities.	operations with no [or minimal]	
			disruption of Programme	

		activities.	
	2a. Whenever possible, the conditions of the contribution agreements referred to in the first paragraph shall be coherent with the conditions of the FFPA referred to in Article 31(2).	2a. Whenever possible, the conditions of the contribution agreements referred to in the first paragraph shall be coherent with the conditions of the FFPA referred to in Article 31a(1).	387a
	3. The Programme Committee shall be consulted on the contribution decision regarding the contribution agreement referred to in paragraph 1 of this Article in accordance with the advisory procedure referred to in Article 107(2). The Programme Committee shall be informed in advance of the contribution agreements to be concluded by the Union, represented by the Commission, and the Entities referred to in paragraph 1.	3. The Programme Committee shall be consulted on the contribution decision regarding the contribution agreement referred to in paragraph 1 of this Article in accordance with the advisory procedure referred to in Article 107(2). The Programme Committee shall be informed in advance of the contribution agreements to be concluded by the Union, represented by the Commission, and the Entities referred to in paragraph 1.	387b
AMD 148 2a. The Commission shall take account of the scientific and technical advice of the Joint Research Centre for the		EP OK to withdraw	387c

implementation of the Programme.

TITLE V		TITLE V	TITLE V	388
SECURITY OF THE		SECURITY OF THE	SECURITY OF THE	389
PROGRAMME		PROGRAMME	PROGRAMME	
CHAPTER I		CHAPTER I	CHAPTER I	390
Security of the Programme		Security of the Programme	Security of the Programme	391
Article 33		Article 33	Article 33	392
Principles of security		Principles of security	Principles of security	393
The security of the Programme	AMD 149	1. The security of the	1. The security of the Programme	394
should be based on the following	The security of the Programme	Programme should be based on	shall be based on the following	
principles:	<i>shall</i> be based on the following principles:	the following principles:	principles:	
(a) to take account of the	AMD 150	(a) to take account of the	(a) to take account of the	395
experience of the Member States	(a) to take account of the	experience of the Member	experience of the Member States	
in the field of security and draw	experience of the Member States in	States in the field of security	in the field of security and draw	
inspiration from their best	the field of security and draw	and draw inspiration from their	inspiration from their best	
practices;	inspiration from their best practices	best practices;	practices;	
	and national laws;			
	AMD 151		EP OK to withdraw	395a
	(aa) to take account of the			
	experience gained in the operation			
	of Galileo, EGNOS and			
(h) 4	Copernicus;	(1) (1) (1) (1) (1) (1) (1) (1) (1) (1)		206
(b) to use internationally		(b) to use internationally	(b) to use the security rules of the Council and of the Commission,	396
recognised standards and the		recognised standards and the	which provide, among others, for a	
Union security rules, which provide for a separation between		Union security rules of the Council and of the	separation between operational	
operational functions and those		Commission, which provide,	functions and those associated with	
associated with accreditation.		among others, for a separation	accreditation.	
associated with accreditation.		between operational functions		
		and those associated with		
		accreditation.		

		2. This Regulation shall be without prejudice to the sole responsibility of the Member States for national security, as provided for in Article 4(2) TEU, and to the right of the Member States to protect their essential security interests in accordance with Article 346 TFEU.	2. This Regulation shall be without prejudice to the sole responsibility of the Member States for national security, as provided for in Article 4(2) TEU, and to the right of the Member States to protect their essential security interests in accordance with Article 346 TFEU.	396a
Article 34		Article 34		397
Governance of security		Governance of security		398
1. The Commission, in its field of competence, shall ensure a high degree of security with regard to, in particular:	AMD 152 The Commission and the Agency, in their field of competence, shall ensure a high degree of security with regard to, in particular:	1. The Commission, in its field of competence, shall ensure a high degree of security with regard to, in particular:	1. The Commission, in its field of competence, with the support of the Agency, shall ensure a high degree of security with regard to, in particular:	399
(a) the protection of infrastructure, both ground and space, and of the provision of services, particularly against physical or cyber-attacks;		(a) the protection of infrastructure, both ground and space, and of the provision of services, particularly against physical or cyber-attacks, including interference with data streams;	(a) the protection of infrastructure, both ground and space, and of the provision of services, particularly against physical or cyber-attacks, including interference with data streams;	400
(b) the control and management of technology transfers;		(b) the control and management of technology transfers;	(b) the control and management of technology transfers;	401

(c) the development and preservation within the Union of the competence and know-how acquired;		(c) the development and preservation within the Union of the competence and knowhow acquired;	(c) the development and preservation within the Union of the competence and know-how acquired;	402
(d) the protection of sensitive non-classified and classified information.		(d) the protection of sensitive non-classified and classified information.	(d) the protection of sensitive non-classified and classified information.	403
To that end, the Commission shall ensure that a risk and threat analysis is performed for each Programme's component. Based on that risk and threat analysis, it shall determine, by means of implementing acts, for each component of the Programme, the general security requirements. In doing so, the Commission shall take account of the impact of those requirements on the smooth functioning of that component, in particular in terms of cost, risk management and schedule, and shall ensure not to reduce the general level of security or undermine the functioning of the existing equipment based on that component. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article	AMD 153 To that end, the Commission shall carry out in consultation with end users in Member States and the relevant entities managing the implementation of a component of the Programme a risk and threat analysis for the Copernicus, SST and GOVSATCOM components. The Agency shall carry out a risk and threat analysis for the Galileo and EGNOS components. Based on that risk and threat analysis, the Commission in consultation with end users in Member States and the relevant entities managing the implementation of a component of the Programme shall determine, by means of implementing acts, for each component of the Programme, the general security requirements. In doing so, the Commission shall	To that end, the Commission shall ensure that a risk and threat analysis is performed for each Programme's component. Based on that risk and threat analysis, it shall determine, by means of implementing acts, for each component of the Programme, the general security requirements. In doing so, the Commission shall take account of the impact of those requirements on the smooth functioning of that component, in particular in terms of cost, risk management and schedule, and shall ensure not to reduce the general level of security or undermine the functioning of the existing equipment based on that component. Those implementing acts shall be adopted in accordance with the	To that end, the Commission shall ensure that a risk and threat analysis is performed for each Programme's component. Based on that risk and threat analysis, it shall determine by the end of 2023, by means of implementing acts, for each component of the Programme, the general security requirements. In doing so, the Commission shall take account of the impact of those requirements on the smooth functioning of that component, in particular in terms of cost, risk management and schedule, and shall ensure not to reduce the general level of security or undermine the functioning of the existing equipment based on that component and take into account cybersecurity risks. Those implementing acts shall be	404

107(3).	take account of the impact of those requirements on the smooth functioning of that component, in particular in terms of cost, risk management and schedule, and shall ensure not to reduce the general level of security or undermine the functioning of the existing equipment based on that component. The general security requirements shall set out the procedures to be followed whenever the security of the Union or its Member States may be affected by the operation of a component. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3).	examination procedure referred to in Article 107(3).	adopted in accordance with the examination procedure referred to in Article 107(3).	
---------	--	--	---	--

		After the entry into force of this	After the entry into force of this	404a
		Regulation, the Commission	Regulation, the Commission shall	
		shall communicate an indicative	communicate an indicative list of	
		list of implementing acts to be	implementing acts to be	
		submitted to and discussed by	submitted to and discussed by the	
		the Programme Committee in	Programme Committee in	
		security configuration. This list	security configuration. This list	
		shall be accompanied by an	shall be accompanied by an	
		indicative timetable for	indicative timetable for	
		submission. Where the timetable	submission.	
		is not respected, Member States	submission.	
		may request the Commission to		
		act within a reasonable		
		timeframe.		
2. The entity responsible for the	AMD 154	2. The entity responsible for the	2. The entity responsible for the	405
management of a component of	2. The Commission shall be	management of a component of	management of a component of	
the Programme shall be	responsible for <i>managing the</i>	the Programme shall be	the Programme shall be	
responsible for managing the	security of the Copernicus, SSA	responsible for managing the	responsible for the operational	
security of that component and	and GOVSATCOM components.	security of that component and	security of that component and	
shall, to that end, carry out risk	The Agency shall be responsible	shall, to that end, carry out risk	shall, to that end, carry out risk	
and threat analysis and all the	for managing the security of <i>the</i>	and threat analysis and all the	and threat analysis and all the	
necessary activities to ensure and	Galileo and EGNOS	necessary activities to ensure and	necessary activities to ensure and	
monitor the security of that	components. To that end, they	monitor the security of that	monitor the security of that	
component, in particular setting	shall carry out all the necessary	component, in particular setting	component, in particular setting	
of technical specifications and	activities to ensure and monitor	of technical specifications and	of technical specifications and	
operational procedures, and	the security of <i>the components</i>	operational procedures, and	operational procedures, and	
monitor their compliance with the	for which they are responsible,	monitor their compliance with the	monitor their compliance with the	
general security requirements	in particular <i>the</i> setting of	general security requirements	general security requirements	
referred to in paragraph 1.	technical specifications and <i>shall</i>	referred to in paragraph 1.	referred to in paragraph 1.	
referred to in paragraph 1.	operational procedures, and	referred to in paragraph 1.	Pursuant to Article 30, for	
	•		*	
	monitor their compliance with the		Galileo and EGNOS that entity	

	general security requirements referred to in <i>the third</i> subparagraph of paragraph 1.	2a. Based on the risk and threat analysis, the Commission shall, where appropriate, establish a security monitoring body to follow the instructions developed under the scope of Decision 201x/xxx/CFSP. ⁶⁸ The security monitoring body shall operate in accordance with the security requirements referred to in paragraph 1. For Galileo, that security monitoring body shall be the Galileo Security Monitoring Centre.	2a. Based on the risk and threat analysis, the Commission shall, where appropriate, identify a structure to monitor security and to follow the instructions developed under the scope of Decision 201x/xxx/CFSP. ⁶⁹ The structure shall operate in accordance with the security requirements referred to in paragraph 1. For Galileo, that structure shall be the Galileo Security Monitoring Centre.	405a
3. The Agency shall:	AMD 155 3. The Agency shall furthermore:	3. The Agency shall:	3. The Agency shall:	406

PG/nj

This Council Decision will result from the High Representative proposal extending the scope of Council Decision 2014/496/CFSP of 22 July 2014 currently under negotiation.

This Council Decision will result from the High Representative proposal extending the scope of Council Decision 2014/496/CFSP of 22 July 2014 currently under negotiation.

(a) ensure the security accreditation of all the components of the Programme in accordance with Chapter II of this Title and the competences of the Member States;		(a) ensure the security accreditation of all the components of the Programme in accordance with Chapter II of this Title and without prejudice to the competences of the Member States;	(a) ensure the security accreditation of all the components of the Programme in accordance with Chapter II of this Title and without prejudice to the competences of the Member States;	407
(b) ensure the operation of the Galileo Security Monitoring Centre in accordance with the requirements referred to in paragraph 2 and the instructions developed under the scope of Decision 2014/496/CFSP;		(b) ensure the operation of the Galileo Security Monitoring Centre in accordance with the requirements referred to in paragraph 2 and the instructions developed under the scope of Decision 2014/496/CFSP;	(b) ensure the operation of the Galileo Security Monitoring Centre in accordance with the requirements referred to in paragraph 2 and the instructions developed under the scope of Decision 2014/496/CFSP;	408
(c) perform the tasks assigned to it under Decision No 1104/2011/EU;		(c) perform the tasks assigned to it under Decision No 1104/2011/EU;	(c) perform the tasks assigned to it under Decision No 1104/2011/EU;	409
(d) provide the Commission with its technical expertise and supply any information necessary for the performance of its tasks under this Regulation.		(d) provide the Commission with its technical expertise and supply any information necessary for the performance of its tasks under this Regulation.	(d) provide the Commission with its technical expertise and supply any information necessary for the performance of its tasks under this Regulation.	410
	AMD 156 (da) ensure the cyber security of the Programme;		EP OK to withdraw	410a

4. The Member States shall:		4. The Member States shall:	4. The Member States shall:	411
(a) take measures which are at least equivalent to those necessary for the protection of European critical infrastructures within the meaning of Council Directive 2008/114/EC of 8 December 2008 on the identification and designation of European critical infrastructures and the assessment of the need to improve their protection ⁷⁰ and to those necessary for the protection of their own national critical infrastructures in order to ensure the protection of the ground infrastructure on the ground which form an integral part of the Programme and which are located on their territory;	(a) take measures which are at least equivalent to those necessary for the protection of European critical infrastructures within the meaning of Council Directive 2008/114/EC of 8 December 2008 on the identification and designation of European critical infrastructures and the assessment of the need to improve their protection ²⁹ and to those necessary for the protection of their own national critical infrastructures in order to ensure the protection of the ground infrastructure which form an integral part of the Programme and which are located on their territory;	(a) take measures which are at least equivalent to those necessary for the protection of European critical infrastructures within the meaning of Council Directive 2008/114/EC of 8 December 2008 on the identification and designation of European critical infrastructures and the assessment of the need to improve their protection ⁷¹ and to those necessary for the protection of their own national critical infrastructures in order to ensure the protection of the ground infrastructure on the ground which form an integral part of the Programme and which are located on their territory;	(a) take measures which are at least equivalent to those necessary for the protection of European critical infrastructures within the meaning of Council Directive 2008/114/EC of 8 December 2008 on the identification and designation of European critical infrastructures and the assessment of the need to improve their protection ⁷² and to those necessary for the protection of their own national critical infrastructures in order to ensure the protection of the ground infrastructure on the ground which form an integral part of the Programme and which are located on their territory;	412
(b) perform the security accreditation tasks referred to in Article 41.		(b) perform the security accreditation tasks referred to in Article 41.	(b) perform the security accreditation tasks referred to in Article 41.	413

⁷⁰

⁷¹

OJ L 345, 23.12.2008, p. 75–82. OJ L 345, 23.12.2008, p. 75–82. OJ L 345, 23.12.2008, p. 75–82. 72

5. The entities involved in the Programme shall take all the measures necessary to ensure the security of the Programme.	AMD 158 5. The entities involved in the Programme shall take all the necessary measures, also in light of the issues identified in the risk analysis, to ensure the security of the Programme.	5. The entities involved in the Programme shall take all the measures necessary to ensure the security of the Programme.	5. The entities involved in the Programme shall take all the necessary measures, also in light of the issues identified in the risk analysis, to ensure the security of the Programme.	414
			Article 34a	414a
			Security of systems and services deployed	414b
			Whenever the security of the Union or its Member States may be affected by the operation of the systems, the procedures set out in Council Decision XXXX/XX/CFSP shall apply.	414c
CHAPTER II		CHAPTER II	CHAPTER II	415
Security accreditation		Security accreditation	Security accreditation	416
Article 35		Article 35	Article 35	417
Security Accreditation		Security Accreditation	Security Accreditation	418
Authority The Security Accorditation Board		Authority The Security Accorditation Board	Authority The Security Assemble to Board	410
The Security Accreditation Board established within the Agency		The Security Accreditation Board established within the Agency	The Security Accreditation Board established within the Agency	419
shall be the security accreditation		shall be the security accreditation	shall be the security accreditation	
authority for all the components		authority for all the components	authority for all the components	
of the Programme.		of the Programme.	of the Programme.	

Article 36	Article 36	Article 36	420
General principles of security accreditation	General principles of security accreditation	General principles of security accreditation	421
Security accreditation activities	Security accreditation activities	Security accreditation activities	422
for all the components of the	for all the components of the	for all the components of the	
Programme shall be conducted in	Programme shall be conducted in	Programme shall be conducted in	
accordance with the following	accordance with the following	accordance with the following	
principles:	principles:	principles:	
(a) security accreditation	(a) security accreditation	(a) security accreditation	423
activities and decisions shall be	activities and decisions shall be	activities and decisions shall be	
undertaken in a context of	undertaken in a context of	undertaken in a context of	
collective responsibility for the	collective responsibility for the	collective responsibility for the	
security of the Union and of the	security of the Union and of the	security of the Union and of the	
Member States;	Member States;	Member States;	
(b) efforts shall be made for	(b) efforts shall be made for	(b) efforts shall be made for	424
decisions within the Security	decisions within the Security	decisions within the Security	
Accreditation Board to be	Accreditation Board to be	Accreditation Board to be	
reached by consensus;	reached by consensus;	reached by consensus;	
(c) security accreditation	(c) security accreditation	(c) security accreditation	425
activities shall be carried out	activities shall be carried out	activities shall be carried out	
using a risk assessment and	using a risk assessment and	using a risk assessment and	
management approach,	management approach,	management approach,	
considering risks to the security	considering risks to the security	considering risks to the security	
of the component as well as the	of the component as well as the	of the component as well as the	
impact on cost or schedule of any	impact on cost or schedule of any	impact on cost or schedule of any	
measure to mitigate the risks,	measure to mitigate the risks,	measure to mitigate the risks,	
taking into account the objective	taking into account the objective	taking into account the objective	
not to lower the general level of	not to lower the general level of	not to lower the general level of	
security of this component;	security of this component;	security of this component;	

(d) security accreditation	(d) security accreditation	(d) security accreditation	426
decisions of the Security		decisions of the Security	420
Accreditation Board shall be		Accreditation Board shall be	
prepared and taken by		prepared and taken by	
professionals who are duly	1 1	professionals who are duly	
qualified in the field of	1	qualified in the field of	
4	•	•	
accrediting complex systems,		accrediting complex systems,	
have an appropriate level of	** *	have an appropriate level of	
security clearance and act		security clearance and act	
objectively;		objectively;	10-
(e) efforts shall be made to		(e) efforts shall be made to	427
consult all relevant parties with		consult all relevant parties with	
an interest in security issues for		an interest in security issues for	
this component;	-	this component;	
(f) security accreditation	· · · · · · · · · · · · · · · · · · ·	(f) security accreditation	428
activities shall be carried out by		activities shall be carried out by	
all relevant stakeholders of the	all relevant stakeholders of the	all relevant stakeholders of the	
component according to a	component according to a	component according to a	
security accreditation strategy,	security accreditation strategy,	security accreditation strategy,	
without prejudice to the role of	without prejudice to the role of	without prejudice to the role of	
the Commission;	the Commission;	the Commission;	
(g) security accreditation	(g) security accreditation	(g) security accreditation	429
decisions of the Security	decisions of the Security	decisions of the Security	
Accreditation Board shall,	Accreditation Board shall,	Accreditation Board shall,	
following the process defined in	following the process defined in	following the process defined in	
the relevant security accreditation	C I	the relevant security accreditation	
strategy defined by that Board, be		strategy defined by that Board, be	
based on local security		based on local security	
accreditation decisions taken by		accreditation decisions taken by	
the respective national security		the respective national security	
	the respective national becauty	and the property of the proper	

accreditation authorities of the	accreditation authorities of the	accreditation authorities of the	
Member States;	Member States;	Member States;	
(h) a permanent, transparent and	(h) a permanent, transparent and	(h) a permanent, transparent and	430
fully understandable monitoring	fully understandable monitoring	fully understandable monitoring	
process shall ensure that the	process shall ensure that the	process shall ensure that the	
security risks for the component	security risks for the component	security risks for the component	
are known, that security measures	are known, that security measures	are known, that security measures	
are defined to reduce such risks	are defined to reduce such risks	are defined to reduce such risks	
to an acceptable level in view of	to an acceptable level in view of	to an acceptable level in view of	
the security needs of the Union	the security needs of the Union	the security needs of the Union	
and of its Member States and for	and of its Member States and for	and of its Member States and for	
the smooth running of the	the smooth running of the	the smooth running of the	
component and that those	component and that those	component and that those	
measures are applied in	measures are applied in	measures are applied in	
accordance with the concept of	accordance with the concept of	accordance with the concept of	
defence in depth. The	defence in depth. The	defence in depth. The	
effectiveness of such measures	effectiveness of such measures	effectiveness of such measures	
shall be continuously evaluated.	shall be continuously evaluated.	shall be continuously evaluated.	
The process relating to security	The process relating to security	The process relating to security	
risk assessment and management	risk assessment and management	risk assessment and management	
shall be conducted as an iterative	shall be conducted as an iterative	shall be conducted as an iterative	
process jointly by the	process jointly by the	process jointly by the	
stakeholders of the component;	stakeholders of the component;	stakeholders of the component;	
(i) security accreditation	(i) security accreditation	(i) security accreditation	431
decisions shall be taken by the	decisions shall be taken by the	decisions shall be taken by the	
Security Accreditation Board in a	Security Accreditation Board in a	Security Accreditation Board in a	
strictly independent manner,	strictly independent manner,	strictly independent manner,	
including with regard to the	including with regard to the	including with regard to the	
Commission and the other bodies	Commission and the other bodies	Commission and the other bodies	
responsible for the	responsible for the	responsible for the	
implementation of the component	implementation of the component	implementation of the component	
and for the provision of related	and for the provision of related	and for the provision of related	

services, and with regard to the	services, and with regard to the	services, and with regard to the	
Executive Director and the	Executive Director and the	Executive Director and the	
Administrative Board of the	Administrative Board of the	Administrative Board of the	
Agency;	Agency;	Agency;	
(j) security accreditation activities	(j) security accreditation activities	(j) security accreditation activities	432
shall be carried out with due	shall be carried out with due	shall be carried out with due	
regard for the need for adequate	regard for the need for adequate	regard for the need for adequate	
coordination between the	coordination between the	coordination between the	
Commission and the authorities	Commission and the authorities	Commission and the authorities	
responsible for implementing	responsible for implementing	responsible for implementing	
security provisions;	security provisions;	security provisions;	
(k) the security accreditation of	(k) the security accreditation of	(k) the security accreditation of	433
EGNOS performed by the	EGNOS performed by the	EGNOS performed by the	
Security Accreditation Board	Security Accreditation Board	Security Accreditation Board	
shall be without prejudice to the	shall be without prejudice to the	shall be without prejudice to the	
accreditation activities	accreditation activities	accreditation activities	
performed, for aviation, by the	performed, for aviation, by the	performed, for aviation, by the	
European Aviation Safety	European Aviation Safety	European Aviation Safety	
Agency.	Agency.	Agency.	
Article 37	Article 37	Article 37	434
Tasks of the Security	Tasks of the Security	Tasks of the Security	435
Accreditation Board	Accreditation Board	Accreditation Board	
1. The Security Accreditation	1. The Security Accreditation	1. The Security Accreditation	436
Board shall perform its tasks	Board shall perform its tasks	Board shall perform its tasks	
without prejudice to the	without prejudice to the	without prejudice to the	
responsibilities of the	responsibilities of the	responsibilities of the	
Commission or to those entrusted	Commission or to those entrusted	Commission or to those entrusted	
to the Agency's other bodies, in	to the Agency's other bodies, in	to the Agency's other bodies, in	
particular for matters relating to	particular for matters relating to	particular for matters relating to	
security, and without prejudice to	security, and without prejudice to	security, and without prejudice to	
the competences of the Member	the competences of the Member	the competences of the Member	
the competences of the Member	the competences of the Member	the competences of the Member	

States as regards security accreditation.	States as regards security accreditation.	States as regards security accreditation.	
2. The Security Accreditation Board shall have the following tasks:	2. The Security Accreditation Board shall have the following tasks:	2. The Security Accreditation Board shall have the following tasks:	437
(a) defining and approving a security accreditation strategy setting out:	(a) defining and approving a security accreditation strategy setting out:	(a) defining and approving a security accreditation strategy setting out:	438
i) the scope of the activities necessary to perform and maintain the accreditation of the components of the Programme or of parts of these components and any interconnections between them and other systems or components;	i) the scope of the activities necessary to perform and maintain the accreditation of the components of the Programme or of parts of these components and any interconnections between them and other systems or components;	i) the scope of the activities necessary to perform and maintain the accreditation of the components of the Programme or of parts of these components and any interconnections between them and other systems or components;	439
ii) a security accreditation process for the components of the Programme or parts of these components, with a degree of detail commensurate with the required level of assurance and clearly stating the accreditation conditions;	ii) a security accreditation process for the components of the Programme or parts of these components, with a degree of detail commensurate with the required level of assurance and clearly stating the accreditation conditions;	ii) a security accreditation process for the components of the Programme or parts of these components, with a degree of detail commensurate with the required level of assurance and clearly stating the accreditation conditions;	440
iii) the role of relevant stakeholders involved in the accreditation process;	iii) the role of relevant stakeholders involved in the accreditation process;	ii) a security accreditation process for the components of the Programme or parts of these components, with a degree of detail commensurate with the required level of assurance and	441

iv) an accreditation schedule compliant with the phases of the components of the Programme, in particular as regards the deployment of infrastructure,	iv) an accreditation schedule compliant with the phases of the components of the Programme, in particular as regards the deployment of infrastructure, clearly stating the accreditation conditions; iii) the role of relevant stakeholders involved in the accreditation process; iv) an accreditation schedule compliant with the phases of the components of the Programme, in particular as regards the deployment of infrastructure,	442
service provision and evolution;	service provision and evolution; service provision and evolution;	
v) the principles of security accreditation for networks connected to systems set up under the components of the Programme or for parts of these components and for equipment connected to systems established by these components, which shall be performed by the national entities of the Member States competent in security matters;	v) the principles of security accreditation for networks connected to systems set up under the components of the Programme or for parts of these components and for equipment connected to systems established by these components, which shall be performed by the national entities of the Member States competent in security waters; v) the principles of security accreditation for networks connected to systems set up under the components of the Programme or for parts of these components and for equipment connected to systems established by these components, which shall be performed by the national entities of the Member States competent in security matters;	443
(b) taking security accreditation decisions, in particular on the approval of satellite launches, the authorisation to operate the systems set up under the components of the Programme or the elements of these components in their different configurations and for the various services they provide, up to and including the	(b) taking security accreditation decisions, in particular on the approval of satellite launches, the authorisation to operate the systems set up under the components of the Programme or the elements of these components in their different configurations and for the various services they provide, up to and including the (b) taking security accreditation decisions, in particular on the approval of satellite launches, the authorisation to operate the systems set up under the components of the Programme or the elements of these components in their different configurations and for the various services they provide, up to and including the	444

signal in Space, and the authorisation to operate the ground stations. As regards the networks and the equipment connected to the PRS service referred to in Article 44, or to any other secure service stemming from the components of the Programme, the Security Accreditation Board shall take decisions only on the authorisation of bodies to develop or manufacture sensitive PRS dechnologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security matters and the overall security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to security accreditation; signal in Space, and the authorisation to operate the ground stations. As regards the networks and the authorisation to operate the ground stations. As regards the networks and the equipment connected to the PRS service referred to in Article 44, or to any other secure service stemming from the components of the Programme, the Security referred to in Article 44, or to any other secure service stemming from the components of the Programme, the Security Accreditation Board shall take decisions only on the authorisation of bodies to develop or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentati	signal in space, and the	signal in space, and the signal in space, and	d the
ground stations. Ås regards the networks and the equipment connected to the PRS service referred to in Article 44, or to any other secure service stemming from the components of the Programme, the Security Accreditation Board shall take decisions only on the authorisation of bodies to develop or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards the networks and the equipment connected to the PRS service referred to in Article 44, or to any other security and the equipment connected to the PRS service referred to in Article 44, or to any other security executive stemming from the components of the Programme, the Security of the Programme, the Security Accreditation Board shall take decisions only on the authorisation of bodies to develop or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to	_		
networks and the equipment connected to the PRS service referred to in Article 44, or to any other secure service stemming from the components of the Programme, the Security Accreditation Board shall take decisions only on the authorisation of bodies to develop or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 8 of Decision No 1104/2011/EU, approving all documentation relating to	*		
connected to the PRS service referred to in Article 44, or to any other secure service stemming from the components of the Programme, the Security Accreditation Board shall take decisions only on the authorisation of bodies to develop or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to			_
referred to in Article 44, or to any other secure service stemming from the components of the Programme, the Security Accreditation Board shall take decisions only on the authorisation of bodies to develop or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to	* *	1 1	1 1
any other secure service stemming from the components of the Programme, the Security Accreditation Board shall take decisions only on the authorisation of bodies to develop or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to			
stemming from the components of the Programme, the Security Accreditation Board shall take decisions only on the authorisation of bodies to develop or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security misses; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to		, and the second	*
of the Programme, the Security Accreditation Board shall take decisions only on the authorisation of bodies to develop or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to of the Programme, the Security Accreditation Board shall take decisions only on the authorisation of bodies to develop or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 8 of Decision No 1104/2011/EU, approving all documentation relating to of the Programme, the Security Accreditation Board shall take decisions only on the authorisation of bodies to develop or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to			
Accreditation Board shall take decisions only on the authorisation of bodies to develop or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to			_
decisions only on the authorisation of bodies to develop or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to decisions only on the authorisation of bodies to develop or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to decision sonly on the authorisation of bodies to develop or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to			
authorisation of bodies to develop or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to			
or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 36 of Decision No 1104/2011/EU, approving all documentation relating to or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to or manufacture sensitive PRS technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to	decisions only on the	decisions only on the decisions only on t	he
technologies, PRS receivers or PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to		authorisation of bodies to develop authorisation of bo	dies to develop
PRS security modules, or any other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 34(1) of t	or manufacture sensitive PRS	or manufacture sensitive PRS or manufacture sen	isitive PRS
other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to	technologies, PRS receivers or	technologies, PRS receivers or technologies, PRS	receivers or
other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; other technology or equipment which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to	PRS security modules, or any	PRS security modules, or any PRS security modu	ales, or any
which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 8 of Decision No 1104/2011/EU, approving all documentation relating to which has to be checked under the general security requirements referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to			
referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to			1 1
referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to referred to in Article 34(1), taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to	the general security requirements	the general security requirements the general security	y requirements
taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to taking into account the advice provided by national entities competent in security matters and the overall security risks; taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to taking into account the advice provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to	• •		-
provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to provided by national entities competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to			S 7 7
competent in security matters and the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to			
the overall security risks; (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to	±		
(c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to (c) examining and, except as regards documents which the regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to	_	* * * * * * * * * * * * * * * * * * *	
regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to (c) examining and, except as regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to	the overall security fisks,	the overall security lisks, the overall security	
regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to regards documents which the Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to	(c) examining and, except as	(c) examining and, except as (c) examining and	except as 445
Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to Commission is to adopt under Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to	- · · ·		_
Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to Article 34(1) of this Regulation and Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to			
and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to and Article 8 of Decision No 1104/2011/EU, approving all documentation relating to	-	*	-
No 1104/2011/EU, approving all documentation relating to No 1104/2011/EU, approving all documentation relating to No 1104/2011/EU, approving all documentation relating to	` '	, , ,	<u> </u>
documentation relating to documentation relating to documentation relating to			
Security accreamanch security accreamanch security accreamanch	- C	e e e e e e e e e e e e e e e e e e e	C
Security accreditation, Security accreditation,	security accreditation;	security accreditation; security accreditati	OII,

(d) advising, within its field of competence, the Commission on the production of draft texts for acts referred to in Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, including for the establishment of security operating procedures (SecOps), and providing a statement with its concluding position;	(d) advising, within its field of competence, the Commission on the production of draft texts for acts referred to in Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, including for the establishment of security operating procedures (SecOps), and providing a statement with its concluding position;	(d) advising, within its field of competence, the Commission on the production of draft texts for acts referred to in Article 34(1) of this Regulation and Article 8 of Decision No 1104/2011/EU, including for the establishment of security operating procedures (SecOps), and providing a statement with its concluding position;	446
(e) examining and approving the security risk assessment drawn up in accordance with the monitoring process referred to in Article 36(h), taking into account compliance with the documents referred to in point (c) of this paragraph and those drawn up in accordance with Article 34(1) of this Regulation, and with Article 8 of Decision No 1104/2011/EU; and cooperating with the Commission to define risk mitigation measures;	(e) examining and approving the security risk assessment drawn up in accordance with the monitoring process referred to in Article 36(h), taking into account compliance with the documents referred to in point (c) of this paragraph and those drawn up in accordance with Article 34(1) of this Regulation, and with Article 8 of Decision No 1104/2011/EU; and cooperating with the Commission to define risk mitigation measures;	(e) examining and approving the security risk assessment drawn up in accordance with the monitoring process referred to in Article 36(h), taking into account compliance with the documents referred to in point (c) of this paragraph and those drawn up in accordance with Article 34(1) of this Regulation, and with Article 8 of Decision No 1104/2011/EU; and cooperating with the Commission to define risk mitigation measures;	447
(f) checking the implementation of security measures in relation to the security accreditation of the components of the Programme by undertaking or sponsoring security assessments, inspections,	(f) checking the implementation of security measures in relation to the security accreditation of the components of the Programme by undertaking or sponsoring security assessments, inspections,	(f) checking the implementation of security measures in relation to the security accreditation of the components of the Programme by undertaking or sponsoring security assessments, inspections,	448

audits or reviews, in accordance with Article 41(b) of this Regulation;		iews, in accordance 41(b) of this
(g) endorsing the selection of approved products and measures which protect against electronic eavesdropping (TEMPEST) and of approved cryptographic products used to provide security for the components of the Programme;	approved products and measures which protect against electronic eavesdropping (TEMPEST) and of approved cryptographic products used to provide security approved product which protect eavesdropping of approved products used to provide security	g the selection of oducts and measures et against electronic ng (TEMPEST) and cryptographic ed to provide security oonents of the
(h) approving or, where relevant, participating in the joint approval, together with the relevant entities competent in security matters, of the interconnection between the systems established under the components of the Programme or the parts of these components and other systems;	participating in the joint approval, together with the relevant entities competent in security matters, of the interconnection between the systems established under the components of the Programme or participating together with together with together with together with the interconnection between the systems established under the components	g or, where relevant, in the joint approval, the the relevant entities in security matters, of mection between the blished under the of the Programme or these components and as;
(i) agreeing with the relevant Member State the template for access control referred to in Article 41(c);	Member State the template for Member Sta	with the relevant te the template for ol referred to in);
(j) preparing risk reports and informing the Commission, the Administrative Board and the Executive Director of its risk assessment and advising them on	informing the Commission, the Administrative Board and the Executive Director of its risk informing the Administrative Administrative Executive D	risk reports and e Commission, the live Board and the irector of its risk and advising them on

residual risk treatment options for a given security accreditation decision;	residual risk treatment options for a given security accreditation decision;	residual risk treatment options for a given security accreditation decision;	
(k) assisting, in close liaison with the Commission, the Council and the High Representative in the implementation of Decision 2014/496/CFSP upon a specific request from the Council and/or the High Representative;	(k) assisting, in close liaison with the Commission, the Council and the High Representative in the implementation of Decision 2014/496/CFSP upon a specific request from the Council and/or the High Representative;	(k) assisting, in close liaison with the Commission, the Council and the High Representative in the implementation of Decision 2014/496/CFSP upon a specific request from the Council and/or the High Representative;	453
(l) carrying out the consultations which are necessary to perform its tasks;	(l) carrying out the consultations which are necessary to perform its tasks;	(l) carrying out the consultations which are necessary to perform its tasks;	454
(m) adopting and publishing its rules of procedure.	(m) adopting and publishing its rules of procedure.	(m) adopting and publishing its rules of procedure.	455
3. Without prejudice to the powers of the Member States, a special subordinate body representing the Member States shall be set up under the supervision of the Security Accreditation Board to perform the tasks of the Crypto Distribution Authority (CDA) relating to the management of EU cryptographic material related to the Programme, with particular regard to:	3. Without prejudice to the powers and responsibilities of the Member States, a special subordinate body representing the Member States shall be set up under the supervision of the Security Accreditation Board to perform the tasks of the Crypto Distribution Authority (CDA) relating to the management of EU cryptographic material related to the Programme, with particular regard to in particular the following tasks:	3. Without prejudice to the powers and responsibilities of the Member States, a special subordinate body representing the Member States shall be set up under the supervision of the Security Accreditation Board to perform in particular the following tasks:	456
(a) the management of flight keys and other keys necessary for the	(a) the management of programme flight keys and other	Clerical error: agreement to use Council text on Art. 37 (Security	457

functioning of Galileo;	keys necessary for the <u>Committee opinion) - to be</u>	
	functioning of Galileo; reconfirmed	
	(a) the management of flight keys	
	and other keys necessary for the	
	functioning of Galileo;	
	(a) the management of	
	programme flight keys and other	
	keys necessary for the	
	functioning of Galileo;	

(b) the verification of the establishment and enforcement of procedures for accounting, secure handling, storage and distribution of the PRS keys of Galileo.	(b) the verification, monitoring and assessment of the establishment and enforcement of procedures for accounting, secure handling, storage and, distribution and disposal of the PRS keys of Galileo.	Clerical error: agreement to use Council text on Art. 37 (Security Committee opinion) - to be reconfirmed (b) the verification of the establishment and enforcement of procedures for accounting, secure handling, storage and distribution of the PRS keys of Galileo. (b) the verification, monitoring and assessment of the establishment and enforcement of procedures for accounting, secure handling, storage and, distribution and disposal of the PRS keys of Galileo.	458
Article 38	Article 38	Article 38	459
Composition of the Security Accreditation Board	Composition of the Security Accreditation Board	Composition of the Security Accreditation Board	460
1. The Security Accreditation Board shall be composed of a representative of each Member State, a representative of the Commission and a representative of the High Representative of the Union for Foreign Affairs and Security Policy ('High Representative'). The term of office of the members of the Security Accreditation Board	1. The Security Accreditation Board shall be composed of a representative of each Member State, a representative of the Commission and a representative of the High Representative of the Union for Foreign Affairs and Security Policy ('High Representative'). The term of office of the members of the Security Accreditation Board	1. The Security Accreditation Board shall be composed of a representative of each Member State, a representative of the Commission and a representative of the High Representative of the Union for Foreign Affairs and Security Policy ('High Representative'). The term of office of the members of the Security Accreditation Board	461

shall be four years and shall be	shall be four years and shall be	shall be four years and shall be	
renewable.	renewable.	renewable.	

2. A representative of the European Space Agency shall be invited to attend the meetings of the Security Accreditation Board as an observer. On an exceptional basis, representatives of Union Agencies, third countries or international organisations may also be invited to attend meetings as observers for matters directly relating to those third countries or international organisations, especially matters concerning the infrastructure belonging to them or established on their territory. Arrangements for such participation of representatives of third countries or international organisations and the conditions therefor shall be laid down in the relevant agreements and shall comply with the rules of procedure of the Security Accreditation Board.

AMD 159

A representative of the European Space Agency shall be invited to attend the meetings of the Security Accreditation Board as an observer. On an exceptional basis, representatives of Union Agencies, third countries or international organisations may also be invited to attend meetings as observers especially *for* matters concerning the infrastructure belonging to them or established on their territory. Arrangements for such participation of representatives of third countries or international organisations and the conditions therefore shall be laid down in the relevant agreements and shall comply with the rules of procedure of the Security Accreditation Board.

2. A representative Participation in SAB meetings shall be based on the need-to-know-principle. Where appropriate, representatives of the European Space Agency shall and of the **Agency may** be invited to attend the meetings of the Security Accreditation Board as an observers. On an exceptional basis, representatives of Union Agencies, third countries or international organisations may also be invited to attend meetings as observers for matters directly relating to those third countries or international organisations, especially matters concerning the infrastructure belonging to them or established on their territory. Arrangements for such participation of representatives of third countries or international organisations and the conditions therefor shall be laid down in the relevant agreements and shall comply with the rules of procedure of the Security Accreditation Board.

2.Participation in SAB meetings shall be based on the need-toknow-principle. Where appropriate, representatives of the European Space Agency and representatives of the Agency not involved in security accreditation may be invited to attend the meetings of the Security Accreditation Board as observers. On an exceptional basis, representatives of Union Agencies, third countries or international organisations may also be invited to attend meetings as observers for matters directly relating to those third countries or international organisations, especially matters concerning the infrastructure belonging to them or established on their territory. Arrangements for such participation of representatives of third countries or international organisations and the conditions therefore shall be laid down in the relevant agreements and shall comply with the rules of procedure of the Security Accreditation Board.

462

Article 39	Article 39	Article 39	463
Voting rules of the Security	Voting rules of the Security	Voting rules of the Security	464
Accreditation Board	Accreditation Board	Accreditation Board	
If consensus according to the	If consensus according to the	If consensus according to the	465
general principles referred to in	general principles referred to in	general principles referred to in	
Article 36 cannot be reached, the	Article 36 cannot be reached, the	Article 36 cannot be reached, the	
Security Accreditation Board	Security Accreditation Board	Security Accreditation Board	
shall take decisions on the basis	shall take decisions on the basis	shall take decisions on the basis	
of qualified majority voting, in	of qualified majority voting, in	of qualified majority voting, in	
accordance with Article 16 of the	accordance with Article 16 of the	accordance with Article 16 of the	
Treaty on European Union. The	Treaty on European Union. The	Treaty on European Union. The	
representative of the Commission	representative of the Commission	representative of the Commission	
and the representative of the High	and the representative of the High	and the representative of the High	
Representative shall not vote. The	Representative shall not vote. The	Representative shall not vote. The	
Chairperson of the Security	Chairperson of the Security	Chairperson of the Security	
Accreditation Board shall sign,	Accreditation Board shall sign,	Accreditation Board shall sign,	
on behalf of the Security	on behalf of the Security	on behalf of the Security	
Accreditation Board, the	Accreditation Board, the	Accreditation Board, the	
decisions adopted by the Security	decisions adopted by the Security	decisions adopted by the Security	
Accreditation Board.	Accreditation Board.	Accreditation Board.	
Article 40	Article 40	Article 40	466
Communication and impact of	Communication and impact of	Communication and impact of	467
decisions of the Security	decisions of the Security	decisions of the Security	
Accreditation Board	Accreditation Board	Accreditation Board	
1. The decisions of the Security	1. The decisions of the Security	1. The decisions of the Security	468
Accreditation Board shall be	Accreditation Board shall be	Accreditation Board shall be	
addressed to the Commission.	addressed to the Commission.	addressed to the Commission.	

2. The Commission shall keep the Security Accreditation Board continuously informed of the impact of any decisions envisaged by the Security Accreditation Board on the proper conduct of the components of the Programme, and of the implementation of residual risk treatment plans. The Security Accreditation Board shall take note of any such information from the Commission.	2. The Commission shall keep the Security Accreditation Board continuously informed of the impact of any decisions envisaged by the Security Accreditation Board on the proper conduct of the components of the Programme, and of the implementation of residual risk treatment plans. The Security Accreditation Board shall take note of any such information from the Commission. 2. The Commission shall keep the Security Accreditation Board continuously informed of the impact of any decisions envisaged by the Security Accreditation Board on the proper conduct of the components of the Programme, and of the implementation of residual risk treatment plans. The Security Accreditation Board shall take note of any such information from the Commission.	469
3. The Commission shall keep the European Parliament and the Council informed, without delay, of the impact of the adoption of the security accreditation decisions on the proper conduct of the components of the Programme. If the Commission considers that a decision taken by the Security Accreditation Board may have a significant effect on the proper conduct of these components, for example in terms of costs, schedule or performance, it shall immediately	3. The Commission shall keep the European Parliament and the Council informed, without delay, of the impact of the adoption of the security accreditation decisions on the proper conduct of the components of the Programme. If the Commission considers that a decision taken by the Security Accreditation Board may have a significant effect on the proper conduct of these components, for example in terms of costs, schedule or performance, it shall immediately	470

inform the European Parliament and the Council.	inform the European Parliament and the Council. inform the European Parliament and the Council.	
4. The Administrative Board shall be kept periodically informed of the evolution of the work of the Security Accreditation Board.	4. The Administrative Board shall be kept periodically informed of the evolution of the work of the Security Accreditation Board. 4. The Administrative Board shall be kept periodically informed of the evolution of the work of the Security Accreditation Board.	471
5. The timetable for the work of the Security Accreditation Board shall not hamper the timetable of activities provided in the work programme referred to in Article 100.	5. The timetable for the work of the Security Accreditation Board shall not hamper the timetable of activities provided in the work programme referred to in Article 100. 5. The timetable for the work of the Security Accreditation Board shall not hamper the timetable of activities provided in the work programme referred to in Article 100.	472
Article 41	Article 41 Article 41 4	473
Role of the Member States in	Role of the Member States in Role of the Member States in 4	474
security accreditation	security accreditation security accreditation	
Member States shall:	Member States shall: Member States shall: 4	475
(a) transmit to the Security		476
Accreditation Board all	Accreditation Board all Accreditation Board all	
information they consider	information they consider information they consider	
relevant for the purposes of	relevant for the purposes of relevant for the purposes of	
security accreditation;	security accreditation; security accreditation;	

(b) permit duly authorised	(b) p	permit duly authorised	(b) permit duly authorised	477
persons appointed by the Security	perso	ons appointed by the Security	persons appointed by the Security	
Accreditation Board, in	Accr	reditation Board, in	Accreditation Board, in	
agreement with and under the	agree	ement with and under the	agreement with and under the	
supervision of national entities	supe	ervision of national entities	supervision of national entities	
competent in security matters, to	comp	petent in security matters, to	competent in security matters, to	
have access to any information	have	e access to any information	have access to any information	
and to any areas and/or sites	and t	to any areas and/or sites	and to any areas and/or sites	
related to the security of systems	relate	ted to the security of systems	related to the security of systems	
falling within their jurisdiction, in	fallir	ng within their jurisdiction, in	falling within their jurisdiction, in	
accordance with their national	acco	ordance with their national	accordance with their national	
laws and regulations, and without	laws	s and regulations, and without	laws and regulations, and without	
any discrimination on ground of	any o	discrimination on ground of	any discrimination on ground of	
nationality of nationals of	natio	onality of nationals of	nationality of nationals of	
Member States, including for the	Men	nber States, including for the	Member States, including for the	
purposes of security inspections,	purp	poses of security inspections,	purposes of security inspections,	
audits and tests as decided by the	audit	its and tests as decided by the	audits and tests as decided by the	
Security Accreditation Board and	Secu	urity Accreditation Board and	Security Accreditation Board and	
of the security risk monitoring	of th	ne security risk monitoring	of the security risk monitoring	
process referred to in Article	proc	cess referred to in Article	process referred to in Article	
36(h). These audits and tests shall	36(h	n). These audits and tests shall	36(h). These audits and tests shall	
be performed in accordance with	be pe	erformed in accordance with	be performed in accordance with	
the following principles:	the f	following principles:	the following principles:	
i) the importance of security and	i) the	e importance of security and	i) the importance of security and	478
effective risk management within		ctive risk management within	effective risk management within	
the entities inspected shall be		entities inspected shall be	the entities inspected shall be	
•		*	*	
emphasised;	empi	hasised;	emphasised;	

ii) countermeasures to mitigate the specific impact of loss of confidentiality, integrity or availability of classified information shall be recommended;	ii) countermeasures to mitigate the specific impact of loss of confidentiality, integrity or availability of classified information shall be recommended; ii) countermeasures to mitigate the specific impact of loss of confidentiality, integrity or availability of classified information shall be recommended;	479
(c) each be responsible for devising a template for access control, which is to outline or list the areas/sites to be accredited, and which shall be agreed in advance between the Member States and the Security Accreditation Board, thereby ensuring that the same level of access control is being provided by all Member States;	(c) each be responsible for devising a template for access control, which is to outline or list the areas/sites to be accredited, and which shall be agreed in advance between the Member States and the Security Accreditation Board, thereby ensuring that the same level of access control is being provided by all Member States; (c) each be responsible for devising a template for access control, which is to outline or list the areas/sites to be accredited, and which shall be agreed in advance between the Member States and the Security Accreditation Board, thereby ensuring that the same level of access control is being provided by all Member States;	480
(d) be responsible, at local level, for the accreditation of the security of sites that are located within their territory and form part of the security accreditation area for the components of the Programme, and report, to this end, to the Security Accreditation Board.		481

CHAPTER III	CHAPTER III CHAPTER II	I 482
Protection of classified	Protection of classified Protection of	classified 483
information	information information	
Article 42	Article 42 Article 42	484
Application of the rules on	Application of the rules on Protection of	classified 485
classified information	classified information information	
	Protection of classified	
	<u>information</u>	
Within the scope of this	Within the scope of this Within the sco	ope of this 486
Regulation:	Regulation: Regulation:	
(a) each Member State shall	(a) <u>The exchange of classified</u> (a) The excha	nge of classified 487
ensure that its national security	<u>information related to the</u> information re	elated to the
regulations offer a degree of		nall be subject to the
protection of European Union		n international
classified information equivalent		tween the Union
to that provided by the rules on	and a third country or and a third co	untry or
security as set out in Commission		organisation on the
Decision (EU, Euratom)	exchange of classified exchange of c	lassified
2015/444 of 13 March 2015 on	information or, where information or	r, where applicable,
the security rules for protecting	applicable, an arrangement an arrangement	nt entered into by
EU classified information ⁷³ and	entered into by the competent Union Institution or body and the competent	t Union Institution
by the security rules of the	the relevant authorities of a third	ne relevant
Council set out in the Annexes to	country or international authorities of	a third country or
Council Decision of	organisation on the exchange of international of	organisation on the
23 September 2013 on the	classified information, and to the exchange of c	
security rules for protecting EU	conditions laid down therein; information, a	and to the conditions
classified information ⁷⁴ ;	each Member State shall ensure	rein;

⁷³

OJ L 72, 17.3.2015, p. 53–88. OJ L 274, 15.10.2013, p. 1–50. 74

	that its national security regulations offer a degree of protection of European Union classified information equivalent to that provided by the rules on		
	security as set out in Commission		
	Decision (EU, Euratom)		
	2015/444 of 13 March 2015 on		
	the security rules for protecting		
	EU-classified information and by		
	the security rules of the Council		
	set out in the Annexes to Council		
	Decision of 23 September 2013		
	on the security rules for		
	protecting EU classified		
	information;		
(b) Member States shall without	(b) Member States shall without	CONS text deletion OK	488
delay inform the Commission of	delay inform the Commission of	CONS lext detellor OK	
the national security regulations	the national security regulations		
referred to in point (a);	referred to in point (a);		

(c) natural persons resident in and legal persons established in third countries may deal with European Union classified information regarding the Programme only where they are subject, in those countries, to security regulations ensuring a degree of protection at least equivalent to that provided by the Commission's rules on security set out in Commission Decision (EU, Euratom) 2015/444 and by the security rules of the Council set out in the Annexes to Decision 2013/488/EU. The equivalence of the security regulations applied in a third country or international organisation shall be defined in a security of information agreement, including industrial security matters if relevant, concluded between the Union and that third country or international organisation in accordance with the procedure provided for in Article 218 TFEU and taking into account Article 13 of Decision 2013/488/EU:

(c) natural persons resident in and legal persons established in third countries may deal with European Union classified information regarding the Programme only where they are subject, in those countries, to security regulations ensuring a degree of protection at least equivalent to that provided by the Commission's rules on security set out in Commission Decision (EU, Euratom) 2015/444 and by the security rules of the Council set out in the Annexes to Decision 2013/488/EU. The equivalence of the security regulations applied in a third country or international organisation shall be defined in a security of information agreement, including industrial security matters if relevant, concluded between the Union and that third country or international organisation in accordance with the procedure provided for in Article 218 TFEU and taking into account Article 13 of Decision 2013/488/EU:

(c) natural persons resident in and legal persons established in third countries may deal with European Union classified information regarding the Programme only where they are subject, in those countries, to security regulations ensuring a degree of protection at least equivalent to that provided by the Commission's rules on security set out in Commission Decision (EU, Euratom) 2015/444 and by the security rules of the Council set out in the Annexes to Decision 2013/488/EU. The equivalence of the security regulations applied in a third country or international organisation shall be defined in a security of information agreement, including industrial security matters if relevant, concluded between the Union and that third country or international organisation in accordance with the procedure provided for in Article 218 TFEU and taking into account Article 13 of Decision 2013/488/EU:

489

(d) without prejudice to Article 13 of Decision 2013/488/EU and to the rules governing the field of industrial security as set out in Commission Decision (EU, Euratom) 2015/444, a natural (d) without prejudice to Article 13 of Decision 2013/488/EU and to the rules governing the field of industrial security as set out in Commission Decision (EU, Euratom) 2015/444, a natural (d) without prejudice to Article 13 of Decision 2013/488/EU and to the rules governing the field of industrial security as set out in Commission Decision (EU, Euratom) 2015/444, a natural Euratom) 2015/444, a natural	490
to the rules governing the field of industrial security as set out in Commission Decision (EU, to the rules governing the field of industrial security as set out in Commission Decision (EU, to the rules governing the field of industrial security as set out in Commission Decision (EU,	
industrial security as set out in Commission Decision (EU, industrial security as set out in Commis	
Commission Decision (EU, Commission Decision (EU, Commission Decision (EU,	
Euratom) 2015/444, a natural Euratom) 2015/444, a natural Euratom) 2015/444, a natural	
person or legal person, third person or legal person, third person or legal person, third	
country or international country or international country or international	
organisation may be given access organisation may be given access organisation may be given access	
to European Union classified to European Union classified to European Union classified	
information where deemed information where deemed information where deemed	
necessary on a case-by-case necessary on a case-by-case necessary on a case-by-case	
basis, according to the nature and basis, according to the nature and basis, according to the nature and	
content of such information, the content of such information, the	
recipient's need-to-know and the recipient's need-to-know and the recipient's need-to-know and the	
degree of advantage to the Union. degree of advantage to the Union. degree of advantage to the Union.	
TITLE VI TITLE VI TITLE VI	491
Galileo and EGNOS Galileo and EGNOS Galileo and EGNOS	492
Article 43 Article 43 Article 43	493
Eligible actions Eligible actions Eligible actions	494
Eligible actions under Galileo Eligible actions under Galileo The exploitation of Galileo and	495
and EGNOS shall cover: and EGNOS shall cover: EGNOS shall cover the following	
eligible actions:	
(a) the management, operation , (a) the management, operation,	496
maintenance, continuous maintenance, continuous maintenance, continuous	
improvement, evolution and improvement, evolution and improvement, evolution and	
protection of the space-based protection of the space-based protection of the space-based	
infrastructure, including upgrades infrastructure, including upgrades	
and obsolescence management; and obsolescence management; and obsolescence management;	

(b) the management,	AMD 160	(b) the management, operation,	(b) the management, operation,	497
maintenance, continuous	(b) the management,	maintenance, continuous	maintenance, continuous	
improvement, evolution and	maintenance, continuous	improvement, evolution and	improvement, evolution and	
protection of the ground-based	improvement, evolution and	protection of the ground-based	protection of the ground-based	
infrastructure, in particular	protection of the ground-based	infrastructure, in particular	infrastructure, in particular	
networks, sites and support	infrastructure, including	ground based centres and	ground based centres and stations	
facilities, including upgrades and	infrastructure located outside	stations, networks, sites and	referred to in Decision (EU)	
obsolescence management;	Union territory, but necessary	support facilities, including	2016/413 or (EU) 2017/1406,	
	for providing Galileo and	upgrades and obsolescence	networks, including upgrades and	
	EGNOS with full coverage of the	management;	obsolescence management;	
	territories of Member States			
	geographically located in			
	<i>Europe</i> , in particular networks,			
	sites and support facilities,			
	including upgrades and			
	obsolescence management;			
(c) the development of future	<u>AMD 161</u>	(c) the development of future	c) the development of future	498
generations of the systems and	(c) the development of future	generations of the systems and	generations of the systems and	
the evolution of the services	generations of the systems and	the evolution of the services	the evolution of the services	
provided by Galileo and EGNOS,	the evolution of the services	provided by Galileo and EGNOS,	provided by Galileo and EGNOS,	
without prejudice to future	provided by Galileo and EGNOS,	without prejudice to future	without prejudice to future	
decisions on the Union financial	without prejudice to future	decisions on the Union financial	decisions on the Union financial	
perspectives;	decisions on the Union financial	perspectives;	perspectives, including by taking	
	perspectives, taking into account	See also Recital (41) as amended	into account the needs of relevant	
	the needs of relevant		stakeholders;	
	stakeholders;			

	AMD 162 (ca) support the development and evolution of fundamental technological elements, such as Galileo-enabled chipsets and receivers;		(ca) support the development of Galileo and EGNOS downstream applications and the development and evolution of fundamental technological elements, such as Galileo-enabled chipsets and receivers;	498a
	AMD 163 (cb) support for development of Galileo and EGNOS downstream applications and integrated downstream applications using both EGNOS/Galileo and Copernicus;		EP OK to withdraw	498b
(d) certification and standardisation operations;		(d) the support of certification and standardisation operations activities related to Galileo and EGNOS, in particular in the transport sector;	(d) the support of certification and standardisation activities related to Galileo and EGNOS, in particular in the transport sector;	499

(e) the provision and market	AMD 164	(e) the continuous provision and	(e) the continuous provision of	500
development of the services	(e) the provision and market	market development of the	the services provided by Galileo	
provided by Galileo and EGNOS;	development of the services	services provided by Galileo and	and EGNOS and, in	
	provided by Galileo and EGNOS,	EGNOS and, in	complementarity with Member	
	in particular, in order to	complementarity with Member	States and private sector	
	maximise the socio-economic	States and private sector	initiatives, the market	
	benefits referred to in Article	initiatives, the market	development of those services, in	
	4(1);	<u>development of those services</u> ;	particular, in order to maximise	
			the socio-economic benefits	
			referred to in Article 4(1);	
(f) cooperation with other		(f) cooperation with other	(f) cooperation with other	501
regional or global satellite		regional or global satellite	regional or global satellite	
navigation systems;		navigation systems, including to	navigation systems, including to	
		facilitate compatibility and	facilitate compatibility and	
		interoperability;	interoperability;	
(g) all elements substantiating the		(g) all elements substantiating to	(g) elements to monitor the	502
reliability of the system and its		monitor the reliability of the	reliability of the systems and	
exploitation;		systems and its their exploitation,	their exploitation, and the	
		and the performance of the	performance of the services;	
		services;		
(h) coordination activities relating		(h) coordination activities relating	(h) activities related to the	503
to the provision of services and		<u>related</u> to the provision of	provision of services and to the	
the extension of their coverage.		services and to the coordination	coordination of the extension of	
		of the extension of their	their coverage.	
		coverage.		

Article 44	Article 44	Article 44	504
Services provided by Galileo	Services provided by Galileo	Services provided by Galileo	505
1. The services provided by	1. The services provided by	1. The services provided by	506
Galileo shall comprise:	Galileo shall comprise:	Galileo shall comprise:	
(a) a Galileo open service (GOS),	(a) a Galileo open service (GOS),	(a) a Galileo open service (GOS),	507
which shall be free of charge to	which shall be free of charge to	which shall be free of charge for	
the user and provides positioning	the <u>for</u> user <u>s</u> and provides	users and provides positioning	
and synchronisation information	positioning and synchronisation	and synchronisation information	
intended mainly for high-volume	information intended mainly for	intended mainly for high-volume	
satellite navigation applications	high-volume satellite navigation	satellite navigation applications	
for use by consumers;	applications for use by	for use by consumers;	
	consumers;		
(b) a high-accuracy service	(b) a high-accuracy service	(b) a high-accuracy service	508
(HAS), which shall be free of	(HAS), which shall be free of	(HAS), which shall be free of	
charge for users and shall	charge for users and shall	charge for users and shall	
provide, through additional data	provide, through additional data	provide, through additional data	
disseminated in a supplementary	disseminated in a supplementary	disseminated in a supplementary	
frequency band, high-accuracy	frequency band, high-accuracy	frequency band, high-accuracy	
positioning and synchronisation	positioning and synchronisation	positioning and synchronisation	
information intended mainly for	information intended mainly for	information intended mainly for	
satellite navigation applications	satellite navigation applications	satellite navigation applications	
for professional or commercial	for professional or commercial	for professional or commercial	
use;	use;	use;	
(c) a signal authentication service	(c) a signal authentication service	(c) a signal authentication service	509
(SAS), based on the encrypted	(SAS), based on the encrypted	(SAS), based on the encrypted	
codes contained in the signals,	codes contained in the signals,	codes contained in the signals,	
intended mainly for satellite	intended mainly for satellite	intended mainly for satellite	
navigation applications for	navigation applications for	navigation applications for	
professional or commercial use;	professional or commercial use;	professional or commercial use;	

strong, encrypted signals;

(d) a public regulated service (PRS), which shall be restricted to government-authorised users regulated in accordance with Decision 1104/2011/EU. for sensitive applications which require a high level of service continuity, including in the area of security and defence, using strong, encrypted signals; it shall be free of charge for the Member States, the Council, the Commission, EEAS and. where appropriate, duly authorised Union agencies; the question of whether to charge the other PRS participants referred to in Article 2 of Decision No 1104/2011/EU shall be assessed on a case-by-case basis and appropriate provisions shall be specified in the agreements concluded pursuant to Article 3(5) of that Decision; access to PRS shall be regulated in accordance with **Decision 1104/2011/EU** applicable to the Member States, the Council, the Commission, the EEAS and Union agencies;

(d) a public regulated service (PRS), which shall be restricted to government-authorised users for sensitive applications which require a high level of service continuity, including in the area of security and defence, using strong, encrypted signals; it shall be free of charge for the Member States, the Council, the Commission, EEAS and, where appropriate, duly authorised Union agencies; the question of whether to charge the other PRS participants referred to in Article 2 of Decision No 1104/2011/EU shall be assessed on a case-bycase basis and appropriate provisions shall be specified in the agreements concluded pursuant to Article 3(5) of that Decision: access to PRS shall be regulated in accordance with Decision 1104/2011/EU applicable to the Member States, the Council, the Commission, the EEAS and Union agencies;

(e) an emergency service (ES), broadcasting, through emitting signals, warnings regarding natural disasters or other emergencies in particular areas;	(e) an emergency service (ES), broadcasting which shall be free of charge for users, and broadcast, through emitting signals, warnings regarding natural disasters or other emergencies in particular areas; it shall be provided in coordination with Member States national civil protection authorities, where appropriate; (e) an emergency service which shall be free of counsers, and broadcast, the emitting signals, warning regarding natural disast other emergencies in particular areas; it shall be provided in national civil protection authorities, where appropriate;	charge for arough ngs ters or articular led in ber States
(f) a timing service (TS), which is free of charge to the user and provides an accurate and robust reference time as well as realization of the coordinated universal time, facilitating the development of timing applications based on Galileo and the use in critical applications.	(f) a timing service (TS), which is shall be free of charge to the for users and provides an accurate and robust reference time as well as realization of the coordinated universal time, facilitating the development of timing applications based on Galileo and the use in critical applications. (f) a timing service (TS) free of charge to the use provides an accurate areference time as well are realization of the coordinated universal time, facilitate development of timing applications based on Galileo and the use in critical applications.	er and ad robust as inated ing the Galileo and
2. Galileo shall also contribute to: (a) the search and rescue support service (SAR) of the COSPAS-SARSAT system by detecting distress signals transmitted by beacons and relaying messages to them via a 'return link';	2. Galileo shall also contribute to: (a) the search and rescue support service (SAR) of the COSPAS-SARSAT system by detecting distress signals transmitted by beacons and relaying messages to them via a 'return link'; (a) the search and rescue support service (SAR) of the Cospassion of the Cospassion in the search and rescue service (SAR) of the cospassion in the search and rescue service	ne support OSPAS- stecting tted by nessages to

(b) integrity-monitoring services standardized at the Union or international level for use by safety-of-life services, on the basis the signals of Galileo open service and in combination with EGNOS and other satellite navigation systems;	(b) integrity-monitoring services standardized at the Union or international level for use by safety-of-life services, on the basis the signals of Galileo open service and in combination with EGNOS and other satellite navigation systems;	(b) integrity-monitoring services standardized at the Union or international level for use by safety-of-life services, on the basis the signals of Galileo open service and in combination with EGNOS and other satellite navigation systems;	515
(c) space weather information and early warning services provided via the Galileo ground-based infrastructure, intended mainly to reduce the potential risks to users of the services provided by Galileo and other GNSSs related to space weather events.	(c) space weather information <u>via</u> the GNSS Service Centre ⁷⁵ and early warning services provided via the Galileo ground based infrastructure, intended mainly to reduce the potential risks to users of the services provided by Galileo and other GNSSs related to space weather events.	(c) space weather information via the GNSS Service Centre ⁷⁶ and early warning services via the Galileo ground based infrastructure, intended mainly to reduce the potential risks to users of the services provided by Galileo and other GNSSs related to space.	516

See Commission implementing Decision (EU) 2016/413 of 18 March 2016 determining the location of the ground-based infrastructure of the system established under the Galileo programme and setting out the necessary measures to ensure that it functions smoothly, and repealing Implementing Decision 2012/117/EU (OJ L 74, 19.03.2016, pp. 45-49).

See Commission implementing Decision (EU) 2016/413 of 18 March 2016 determining the location of the ground-based infrastructure of the system established under the Galileo programme and setting out the necessary measures to ensure that it functions smoothly, and repealing Implementing Decision 2012/117/EU (OJ L 74, 19.03.2016, pp. 45-49).

Article 45	Article 45	Article 45	517
Services provided by EGNOS	Services provided by EGNOS	Services provided by EGNOS	518
1. The services provided by EGNOS shall comprise:	1. The services provided by EGNOS shall comprise:	1. The services provided by EGNOS shall comprise:	519
(a) an EGNOS open service (EOS), which shall be free of charge for the user, and shall provide positioning and synchronisation information intended mainly for high-volume satellite navigation applications for use by consumers;	(a) an EGNOS open service (EOS), which shall be free of charge for the users, and shall provide positioning and synchronisation information intended mainly for high-volume satellite navigation applications for use by consumers;	(a) an EGNOS open service (EOS), which shall be free of charge for users, and shall provide positioning and synchronisation information intended mainly for high-volume satellite navigation applications for use by consumers;	520
(b) EGNOS data access service (EDAS), which shall provide positioning and synchronisation information intended mainly for satellite navigation applications for professional or commercial use, offering improved performance and data with greater added value than those obtained through the EOS;	(b) EGNOS data access service (EDAS), which shall be free of charge for users and shall provide positioning and synchronisation information intended mainly for satellite navigation applications for professional or commercial use, offering improved performance and data with greater added value than those obtained through the EOS;	(b) EGNOS data access service (EDAS), which shall be free of charge for users and shall provide positioning and synchronisation information intended mainly for satellite navigation applications for professional or commercial use, offering improved performance and data with greater added value than those obtained through the EOS;	521

(c) a safety-of-life (SoL) service, which shall be free of direct user charges and shall provide positioning and synchronisation information with a high level of continuity, availability and accuracy, including an integrity message alerting users to any failure in, or out-of-tolerance signals emitted by, Galileo and other GNSSs which it augments in the coverage area, intended mainly for users for whom safety is essential, in particular in the sector of civil aviation for the purpose of air navigation services.

AMD 165

a safety-of-life (SoL) service, which shall be free of direct user charges and shall provide positioning and time synchronisation information with a high level of continuity, availability, accuracy and integrity. That service is provided in compliance with the EASA Regulation to ensure aviation safety requirements are *met*, including an integrity message alerting users to any failure in, or out-of-tolerance signals emitted by, Galileo and other GNSSs which it augments in the coverage area, intended mainly for users for whom safety is essential, in particular in the sector of civil aviation for the purpose of air navigation services.

(c) a safety-of-life (SoL) service, which shall be free of direct user charges and shall provide positioning and synchronisation information with a high level of continuity, availability and accuracy, including an integrity message alerting users to any failure in, or out-of-tolerance signals emitted by, Galileo and other GNSSs which it augments in the coverage area, intended mainly for users for whom safety is essential, in particular in the sector of civil aviation for the purpose of air navigation services according to ICAO standards or other transport sectors.

(c) a safety-of-life (SoL) service, which shall be free of direct user charges and shall provide positioning and time synchronisation information with a high level of continuity, availability and accuracy, including an integrity message alerting users to any failure in, or out-of-tolerance signals emitted by, Galileo and other GNSSs which it augments in the coverage area, intended mainly for users for whom safety is essential, in particular in the sector of civil aviation for the purpose of air navigation services according to ICAO standards or other transport sectors.

2. The services referred to in paragraph 1 shall be provided as a priority on the territory of Member States geographically located in Europe.	AMD 166 The services referred to in paragraph 1 shall be provided as a priority on the territory of Member States geographically located in Europe with the aim of covering the continental territories by the end of 2023 and all territories by the end of 2025.	2. The services referred to in paragraph 1 shall be provided as a priority on the territory of <u>all</u> Member States geographically located in Europe, including for this purpose Cyprus, the Azores, the Canary Islands and Madeira.	2. The services referred to in paragraph 1 shall be provided as a priority on the territory of all Member States geographically located in Europe, including for this purpose Cyprus, the Azores, the Canary Islands and Madeira, by the end of 2026.	523
The geographical coverage of EGNOS may be extended to other regions of the world, in particular to the territories of candidate countries, of third countries associated with the Single European Sky and of third countries in the European Neighbourhood Policy, subject to technical feasibility and, for the SoL service, on the basis of international agreements.		The geographical coverage of EGNOS may be extended to other regions of the world, in particular to the territories of candidate countries, of third countries associated with the Single European Sky and of third countries in the European Neighbourhood Policy, subject to technical feasibility and in conformity with security requirements, and for the SoL service, on the basis of international agreements.	The geographical coverage of EGNOS may be extended to other regions of the world, in particular to the territories of candidate countries, of third countries associated with the Single European Sky and of third countries in the European Neighbourhood Policy, subject to technical feasibility and in conformity with security requirements referred to in Article 34, and for the SoL service, on the basis of international agreements.	524

Article 46 Implementing measures for Galileo and EGNOS Where necessary for the smooth functioning of Galileo and EGNOS and their adoption by the market, the Commission shall lay Article 46 Implementing measures for Galileo and EGNOS Implementing measures for Galileo and EGNOS Where necessary for the smooth functioning of Galileo and EGNOS and their adoption by the market, the Commission shall lay Article 46 Implementing measures for Galileo and EGNOS EGNOS and EGNOS Where necessary for the smooth functioning of Galileo and EGNOS and their adoption by the market, the Commission shall lay	3. The cost of such extension, including the related operating costs specific to these regions, shall not be covered by the budget referred to in Article 11. Such extension shall not delay the offering of the services referred to in paragraph 1 throughout the territory of Member States geographically located in Europe.	3. The cost of such extension, including the related operating costs specific to these regions, shall not be covered by the budget referred to in Article 11, but the Commission shall consider the exploitation of partnership programmes and agreements and, if appropriate, the development of a specific financial instrument to support them. Such extension shall not delay the offering of the services referred to in paragraph 1 throughout the territory of Member States geographically located in Europe.	3. The cost of such extension, including the related operating costs specific to these regions, shall not be covered by the budget referred to in Article 11. Such extension shall not delay the offering of the services referred to in paragraph 1 throughout the territory of Member States geographically located in Europe.	3. The cost of such extension, including the related operating costs specific to these regions, shall not be covered by the budget referred to in Article 11. The Commission shall consider other programmes or instrument to finance such activities. Such extension shall not delay the offering of the services referred to in paragraph 1 throughout the territory of Member States geographically located in Europe.	525
Galileo and EGNOSGalileo and EGNOSGalileo and EGNOSWhere necessary for the smooth functioning of Galileo and EGNOS and their adoption by theWhere necessary for the smooth functioning of Galileo and EGNOS and their adoption by theWhere necessary for the smooth functioning of Galileo and EGNOS and their adoption by the	Article 46		Article 46	Article 46	526
functioning of Galileo and EGNOS and their adoption by the functioning of Galileo and EGNOS and their adoption by the	•				527
EGNOS and their adoption by the EGNOS and their adoption by the	•			J Company of the Comp	528
	_		_	_	
market, the Commission shall lay market, the Commission shall lay					
down, where necessary, measures down, where necessary, measures down, where necessary, measures			•		
required to: down, where necessary, measures required to: required to:	The state of the s		•	•	

(a) manage and reduce the risks inherent in the operation of Galileo and EGNOS;	i ((a) manage and reduce the risks inherent in the operation of Galileo and EGNOS, in particular to ensure service continuity;	(a) manage and reduce the risks inherent in the operation of Galileo and EGNOS, in particular to ensure service continuity;	529
(b) specify the key decision stages to monitor and evaluate the implementation of Galileo and EGNOS;	(s i	(b) specify the key decision stages to monitor and evaluate the implementation of Galileo and EGNOS;	(b) specify the key decision stages to monitor and evaluate the implementation of Galileo and EGNOS;	530
(c) determine the location of the centres belonging to the ground-based infrastructure of Galileo and EGNOS in accordance with security requirements, following an open and transparent process, and ensure their operation.	2 1 2 2 2	(c) determine the location of the centres belonging to the ground-based infrastructure of Galileo and EGNOS in accordance with security requirements, following an open and transparent process, and ensure their operation.	(c) determine the location of the centres belonging to the ground-based infrastructure of Galileo and EGNOS in accordance with security requirements, following an open and transparent process, and ensure their operation.	531
and ensure their operation.		(d) determine the technical and operational specifications relating to the services referred to in Article 44 point (1)(c), (e), (f) and point (2) (c), including where relevant their pricing policy.	(d) determine the technical and operational specifications relating to the services referred to in Article 44 point (1)(c), (e), (f) and point (2) (c).	531a
Those implementing measures shall be adopted in accordance with the examination procedure referred to in Article 107(3).	S	Those implementing measures shall be adopted in accordance with the examination procedure referred to in Article 107(3).	Those implementing measures shall be adopted in accordance with the examination procedure referred to in Article 107(3).	532

Article 47		Article 47		533
Compatibility and interoperability	AMD 168 Compatibility, interoperability and standardization	Compatibility and interoperability	Compatibility, interoperability and standardization	534
1. Galileo and EGNOS, and the services which they provide, shall be fully compatible and interoperable from a technical point of view.		1. Galileo and EGNOS, and the services which they provide, shall be fully compatible and interoperable from a technical point of view, including at users' level.	1. Galileo and EGNOS, and the services which they provide, shall be fully compatible and interoperable from a technical point of view, including at users' level.	535
2. Galileo and EGNOS, and the services which they provide, shall be compatible and interoperable with other satellite navigation systems and with conventional means of radio navigation, where the necessary compatibility and interoperability requirements are laid down in international agreements.	AMD 169 2. Galileo and EGNOS, and the services which they provide, shall be <i>mutually</i> compatible and interoperable with other satellite navigation systems and with conventional means of radio navigation, where the necessary compatibility and interoperability requirements are laid down in international agreements.	2. Galileo and EGNOS, and the services which they provide, shall be compatible and interoperable with other satellite navigation systems and with conventional means of radio navigation, where the necessary compatibility and interoperability requirements are laid down in international agreements.	2. Galileo and EGNOS, and the services which they provide, shall be compatible and interoperable with other satellite navigation systems and with conventional means of radio navigation, where the necessary compatibility and interoperability requirements and conditions thereof are laid down in international agreements.	536
	AMD 170 2a. Galileo and EGNOS shall strive to comply with international standards and certifications.		EP OK to withdraw	536a

TITLE VII		TITLE VII	TITLE VII	537
Copernicus		Copernicus	Copernicus	538
CHAPTER I		CHAPTER I	CHAPTER I	539
General provisions		General provisions	General provisions	540
Article 48		Article 48	Article 48	541
Scope of Copernicus		Scope of Copernicus	Scope of Copernicus	542
1. Copernicus shall be implemented building on prior Union investments and, where appropriate, drawing on the national or regional capacities of Member States and taking into account the capacities of commercial suppliers of comparable data and information and the need to foster competition and market development.	1. Copernicus shall be implemented building on prior Union, European Space Agency and EUMETSAT investments and, where appropriate, drawing on the national or regional capacities of Member States and taking into account the capacities of commercial suppliers of comparable data and information and the need to foster competition and market development.	1. Copernicus shall be implemented building on prior Union investments and, where appropriate and cost-effective, drawing on the national or regional capacities of Member States and taking into account the capacities of commercial suppliers of comparable data and information and the need to foster competition and market development-, while maximising opportunities for European users.	1. Copernicus shall be implemented building on prior investments, including by stakeholders such as European Space Agency and EUMETSAT and, where appropriate and costeffective, drawing on the national or regional capacities of Member States and taking into account the capacities of commercial suppliers of comparable data and information and the need to foster competition and market development-, while maximising opportunities for European users.	543
2. Copernicus shall deliver data and information pursuing a full, free and open data policy.	AMD 172 2. Copernicus shall deliver data and information <i>based on</i> a full, free and open data policy.	2. Copernicus shall deliver data and information, building on Copernicus user needs and pursuing a full, free and open data policy.	2. Copernicus shall deliver data and information, building on Copernicus user needs and based on a full, free and open data policy.2a. Copernicus shall support the formulation, implementation and	544 544a
			monitoring of the Union and its Member States policies in	

			particular in the fields of the environment, climate change, marine, maritime, atmosphere, agriculture and rural development, preservation of cultural heritage, civil protection, infrastructure monitoring, safety and security, as well as the digital economy with the aim to further reduce the administrative burden;	
3. Copernicus shall comprise four components, namely:		3. Copernicus shall comprise four components elements, namely:	3. Copernicus shall comprise four elements, namely:	545
(a) data acquisition component which shall include:		(a) data acquisition component which shall include:	(a) data acquisition which shall include:	546
 the development and operations of the Copernicus Sentinels; 	AMD 173 – the development and operations of the Copernicus Sentinel satellites;	 the development and operations of the Copernicus Sentinels; 	 the development and operations of the Copernicus Sentinels; 	547
- access to third party-data;		access to third party <u>space</u>borne Earth Observation data;	 access to third party space- borne Earth Observation data; 	548
 access to in situ and other ancillary data; 		 access to in situ and other ancillary data; 	access to in situ and other ancillary data;	549
(b) data and information processing component, which shall include activities for the generation of value-added information to support environmental monitoring, reporting and compliance assurance, civil protection and security services (Copernicus Services);		(b) data and information processing component through Copernicus Services, which shall include activities for the generation of value-added information to support environmental monitoring, reporting and compliance assurance, civil protection and security services (Copernicus)	(b) data and information processing through Copernicus Services, which shall include activities for the generation of value-added information to support environmental monitoring, reporting and compliance assurance, civil protection and security services;	550

		Services);		
(c) data access and distribution component, which shall include infrastructure and services to ensure the discovery, viewing, access to, distribution and exploitation of Copernicus data and Copernicus information;	(c) data access and distribution component, which shall include infrastructure and services to ensure the discovery, viewing, long-term archiving, access to, distribution and exploitation of Copernicus data and Copernicus information, in a user-friendly manner;	(c) data access and distribution component, which shall include infrastructure and services to ensure the discovery, viewing, access to, distribution and exploitation and long-term preservation of Copernicus data and Copernicus information;	(c) data access and distribution component, which shall include infrastructure and services to ensure the discovery, viewing, access to, distribution and exploitation and long-term preservation of Copernicus data and Copernicus information, in a user-friendly manner;	551
(d) user uptake and market development component in accordance with Article 29(5), which shall include relevant activities, resources and services to promote Copernicus, its data and services at all levels to maximise socio-economic benefits which are referred to in Article 4(1).	(d) user uptake, <i>capacity</i> building and market development component in accordance with Article 29(5), which shall include relevant activities, resources and services to promote Copernicus, its data and services at all levels to maximise socio-economic benefits which are referred to in Article 4(1).	(d) user uptake-and, market development emponent and capacity building in accordance with Article 29(5), which shall include relevant activities, resources and services to promote Copernicus, its data and Services at all levels to maximise socioeconomic benefits which are referred to in Article 4(1)- as well as the collection and analysis of user needs.	(d) user uptake, market development and capacity building in accordance with Article 29(5), which shall include relevant activities, resources and services to promote Copernicus, its data and Services, as well as related downstream applications and their development at all levels to maximise socioeconomic benefits which are referred to in Article 4(1) as well as the collection and analysis of user needs.	552

		3a. The Commission shall adopt implementing acts in accordance with the examination procedure referred to in Art. 107(3) concerning the technical specifications of the Copernicus Services defined in Article 50 and the Sentinel missions refered to in Article 49(a).	CONS text deletion OK	552a
4. Copernicus shall promote the international coordination of observation systems and related exchanges of data in order to strengthen its global dimension and complementarity taking account of existing international agreements and coordination processes.	4. Copernicus shall promote the international coordination of observation systems and related exchanges of data in order to strengthen its global dimension and complementarity taking account of existing <i>and future</i> international agreements and coordination processes.	4. Copernicus shall promote the international coordination of observation systems and related exchanges of data in order to strengthen its global dimension and complementarity taking account of existing international agreements and coordination processes.	4. Copernicus shall promote the international coordination of observation systems and related exchanges of data in order to strengthen its global dimension and complementarity taking account of international agreements and coordination processes.	553

CHAPTER II		CHAPTER II		554
Eligible actions		Eligible actions		555
Article 49		Article 49		556
Data acquisition	AMD 177 Eligible actions	Data acquisition	Eligible actions for data acquisition	557
Eligible actions under Copernicus shall cover:		Eligible actions under Copernicus shall cover:	Eligible actions under Copernicus shall cover:	558
(a) actions to provide continuity of existing Sentinel missions and to develop, launch, maintain and operate further Sentinels expanding the observation scope, giving priority to: observation capacities for monitoring anthropogenic CO ₂ and other greenhouse gas emissions, allowing for polar coverage and enabling innovative environmental applications in agriculture, forest and water management domains;	AMD 178 (a) actions to provide continuity of existing Sentinel missions and to develop, launch, maintain and operate further Sentinels expanding the observation scope, such as: observation capacities for monitoring anthropogenic CO ₂ and other greenhouse gas emissions, allowing for polar coverage and enabling innovative environmental applications in agriculture, forest and water management domains;	(a) actions to provide enhanced continuity of existing Sentinel missions and to develop, launch, maintain and operate further Sentinels expanding the observation scope, giving priority in particular to: observation capacities for monitoring anthropogenic CO2 and other greenhouse gas emissions, allowing for monitoring polar eoverage regions and enabling innovative environmental applications in agriculture, forest and, water and marine resources management domains, and cultural heritage;	(a) actions to provide enhanced continuity of existing Sentinel missions and to develop, launch, maintain and operate further Sentinels expanding the observation scope, giving priority in particular to: observation capacities for monitoring anthropogenic CO2 and other greenhouse gas emissions, allowing for monitoring polar regions and enabling innovative environmental applications in agriculture, forest, water and marine resources management, and cultural heritage;	559
(b) actions to provide access to third-party data necessary to generate Copernicus services or for use by the Union's institutions, agencies and decentralised services;	AMD 179 (b) actions to provide access to third-party data necessary to generate Copernicus services or for use by core users, giving priority to data provided and/or	(b) actions to provide access to third-party data necessary to generate Copernicus services or for use by the Union's institutions, agencies and, decentralised services and, when	(b) actions to provide access to third-party data necessary to generate Copernicus services or for use by the Union's institutions, agencies, decentralised services and, where	560
,	funded by public entities in	possible, national or regional	appropriate and cost-effective,	

	Member States, such as national agencies;	<u>public bodies;</u>	national or regional public bodies;	
(c) actions to provide and coordinate access to in situ and other ancillary data necessary for the generation, calibration and validation of Copernicus data and Copernicus information.	ugeneros,	(c) actions to provide and coordinate access to in situ and other ancillary data necessary for the generation, calibration and validation of Copernicus data and Copernicus information— including where appropriate and cost-effective the use of existing national capacities and avoiding duplications.	c) actions to provide and coordinate access to in situ and other ancillary data necessary for the generation, calibration and validation of Copernicus data and Copernicus information, including where appropriate and cost-effective the use of existing national capacities and avoiding duplications.	561
	AMD 180 (ca) support for development of relevant Copernicus downstream applications and services.		EP OK to withdraw	561a
Article 50		Article 50		562
Copernicus Services		Copernicus Services	Eligible actions for Copernicus Services	563
Copernicus shall include actions in support of the following services:	AMD 181 Copernicus shall include actions in support of the following <i>core</i> services:	Copernicus shall include actions in support of the following services:	Copernicus shall include actions in support of the following services:	564
(a) environmental monitoring, reporting and compliance assurance services covering:		(a) environmental monitoring, reporting and compliance assurance services covering:	(a) environmental monitoring, reporting and compliance assurance services covering:	565
 atmosphere monitoring to provide information on air quality and chemical composition of the atmosphere; 		- atmosphere monitoring to provide information on air quality at European scale and chemical composition of the atmosphere at global scale;	- atmosphere monitoring to provide information on air quality with a global coverage, with a special focus at European level, and composition of the atmosphere	566

 marine environment monitoring to provide information on the state and dynamics of marine and coastal ecosystems and their resources; 		- marine environment monitoring to provide information on the state and dynamics of marine ocean, sea and coastal ecosystems and, their resource and use;	- marine environment monitoring to provide information on the state and dynamics of ocean, sea and coastal ecosystems, their resource and use;	567
 land monitoring and agriculture to provide information on land cover, land use and land use change, urban areas, inland water quantity and quality, forests, agriculture and other natural resources, biodiversity and cryosphere; 	AMD 182 — land monitoring and agriculture to provide information on land cover, land use and land use change, soil quality, desertification, cultural heritage sites, inland water quantity and quality, forests and in particular deforestation, agriculture and other natural resources, biodiversity and cryosphere; Member States will be able to use the information and data resulting from monitoring of the agricultural area regarding the degree of land cover and farmland utilisation, so as to further reduce the administrative burden of granting farm subsidies;	– land monitoring and agriculture to provide information on land cover, land use and land use change, ground motion, urban areas, inland water quantity and quality, forests, agriculture and other natural resources, biodiversity and cryosphere;	- land monitoring and agriculture to provide information on land cover, land use and land use change, cultural heritage sites, ground motion, urban areas, inland water quantity and quality, forests, agriculture and other natural resources, biodiversity and cryosphere;	568

	AMD 183 - mapping farmland in need of irrigation, crop forecasts and land use, and ensuring better food safety and quality by safeguarding the environment;		EP OK to withdraw	568a
	AMD 184 - monitoring fishing activities, to ensure better food safety and quality by safeguarding the environment;		EP OK to withdraw	568b
– climate monitoring change to provide information on anthropogenic CO ₂ and other greenhouse gas emissions, essential climate variables, climate reanalyses, seasonal forecasts, climate projections and attribution, as well as indicators at relevant temporal and spatial scales;		- climate <u>change</u> monitoring ehange to provide information on anthropogenic CO2 and other greenhouse gas emissions <u>and</u> <u>absorptions</u> , essential climate variables, climate reanalyses, seasonal forecasts, climate projections and attribution, <u>information on Polar/Arctic changes</u> , as well as indicators at relevant temporal and spatial scales;	- climate change monitoring to provide information on anthropogenic CO2 and other greenhouse gas emissions and absorptions, essential climate variables, climate reanalyses, seasonal forecasts, climate projections and attribution, information on Polar/Arctic changes, as well as indicators at relevant temporal and spatial scales;	569

	AMD 185 (aa) Monitoring support for Union policy implementation;		EP OK to withdraw	569a
(b) emergency management service to provide information in support of public authorities concerned with civil protection established in the Union, supporting civil protection and emergency response operations (improving early warning activities and crisis response capacities), and prevention and preparedness actions (risk and recovery analyses) in relation to different types of disasters;		(b) emergency management service to provide information in support of and in coordination with public authorities concerned with civil protection established in the Union, supporting civil protection and emergency response operations (improving early warning activities and crisis response capacities), and prevention and preparedness actions (risk and recovery analyses) in relation to different types of disasters;	(b) emergency management service to provide information in support of and in coordination with public authorities concerned with civil protection, supporting civil protection and emergency response operations (improving early warning activities and crisis response capacities), and prevention and preparedness actions (risk and recovery analyses) in relation to different types of disasters;	570
(c) security service to support surveillance of the Union's external borders, maritime surveillance, as well as Union external action responding to security challenges facing the Union, and Common Foreign and Security Policy objectives and actions.		(c) security service to support surveillance of the Union's external borders, maritime surveillance, as well as Union external action responding to security challenges facing the Union, and Common Foreign and Security Policy objectives and actions.	(c) security service to support surveillance of the Union's and its external borders, maritime surveillance, as well as Union external action responding to security challenges facing the Union, and Common Foreign and Security Policy objectives and actions.	571

	2. The Commission, with the support of independent experts, shall ensure the pertinence of the Services by:	2. The Commission, supported where relevant by external independent expertise, shall ensure the pertinence of the Services by:	571a
	(a) validating the technical feasibility and fitness for purpose of the requirements expressed by the user communities;	(a) validating the technical feasibility and fitness for purpose of the requirements expressed by the user communities;	571b
Article 51	(b) assessing the means and solutions, proposed or executed, to meet the requirements of the user communities and the objectives of the Programme. Article 51	(b) assessing the means and solutions, proposed or executed, to meet the requirements of the user communities and the objectives of the Programme.	571c
Access to and distribution of Copernicus data and information	Data and information Aaccess to and distribution of Copernicus data and information	Eligible actions for Data and information access and distribution	573
1. Copernicus shall include actions to provide access to all Copernicus data and Copernicus information and, where appropriate, provide additional infrastructure and services to foster the distribution, access and use of those data and information.	1. Copernicus shall include actions to provide <u>enhanced</u> access to all Copernicus data and Copernicus information and, where appropriate, provide additional infrastructure and services to foster the distribution, access and use of those data and information.	1. Copernicus shall include actions to provide enhanced access to all Copernicus data and Copernicus information and, where appropriate, provide additional infrastructure and services to foster the distribution, access and use of those data and information.	574

2. Where Copernicus data or Copernicus information are security sensitive, the Commission may entrust the procurement, the supervision of the acquisition, the access to and the distribution of those data and information to one or more fiduciary entities. Such entities shall set up and maintain a registry of accredited users and grant access to the restricted data through a segregated workflow.

2. Where Copernicus data or Copernicus information are security sensitive <u>according to Articles 12 to 16 of Commission Delegated Regulation (EU)</u>

No 1159/2013⁷⁷, the Commission may entrust the procurement, the supervision of the acquisition, the access to and the distribution of those data and information to one or more fiduciary entities. Such entities shall set up and maintain a registry of accredited users and grant access to the restricted data through a segregated workflow.

2. Where Copernicus data or Copernicus information are security sensitive according to Articles 12 to 16 of Commission Delegated Regulation (EU) No 1159/2013⁷⁸, the Commission may entrust the procurement, the supervision of the acquisition, the access to and the distribution of those data and information to one or more fiduciary entities. Such entities shall set up and maintain a registry of accredited users and grant access to the restricted data through a segregated workflow.

575

Commission Delegated Regulation (EU) No 1159/2013 of 12 July 2013 supplementing Regulation (EU) No 911/2010 of the European Parliament and of the Council on the European Earth monitoring programme (GMES) by establishing registration and licensing conditions for GMES users and defining criteria for restricting access to GMES dedicated data and GMES service information (OJ L 309, 19.11.13, p. 1)

Commission Delegated Regulation (EU) No 1159/2013 of 12 July 2013 supplementing Regulation (EU) No 911/2010 of the European Parliament and of the Council on the European Earth monitoring programme (GMES) by establishing registration and licensing conditions for GMES users and defining criteria for restricting access to GMES dedicated data and GMES service information (OJ L 309, 19.11.13, p. 1)

CHAPTER III	CHAPTER III	CHAPTER III	576
Copernicus data policy	Copernicus data policy	Copernicus data policy	577
Article 52	Article 52	Article 52	578
Copernicus data and Copernicus information policy	Copernicus data and Copernicus information policy	Copernicus data and Copernicus information policy	579
1. Copernicus data and Copernicus information shall be provided to users under the following free, full and open data policy:	1. Copernicus data and Copernicus information shall be provided to users under the following free, full and open data policy:	1. Copernicus data and Copernicus information shall be provided to users under the following free, full and open data policy:	580
(a) Copernicus users may, on a free and worldwide basis, reproduce, distribute, communicate to the public, adapt, modify all Copernicus data and Copernicus information and combine them with other data and information;	(a) Copernicus users may, on a free and worldwide basis, reproduce, distribute, communicate to the public, adapt, and modify all Copernicus data and Copernicus information and combine them with other data and information;	(a) Copernicus users may, on a free and worldwide basis, reproduce, distribute, communicate to the public, adapt, and modify all Copernicus data and Copernicus information and combine them with other data and information;	581
(b) the free, full and open data policy shall include the following limitations:	(b) the free, full and open data policy shall include the following limitations:	(b) the free, full and open data policy shall include the following limitations:	582
- the formats, timeliness and dissemination characteristics of Copernicus data and Copernicus information shall be pre-defined;	(i) the formats, timeliness and dissemination characteristics of Copernicus data and Copernicus information shall be pre-defined;	(i) the formats, timeliness and dissemination characteristics of Copernicus data and Copernicus information shall be pre-defined;	583

		I	
 the licensing conditions of 	(ii) the licensing conditions of	(ii) the licensing conditions of	584
third-party data and third-party	third-party data and third-party	third-party data and third-party	
information used in the	information used in the	information used in the	
production of Copernicus	production of Copernicus	production of Copernicus	
Services information shall be	Services information shall be	Services information shall be	
abided by where applicable;	abided by where applicable;	abided by where applicable;	
– the security limitations	(<u>iii</u>) the security limitations	(iii) the security limitations	585
resulting from the general	resulting from the general	resulting from the general	
security requirements referred to	security requirements referred to	security requirements referred to	
in Article 34(1);	in Article 34(1);	in Article 34(1);	
 protection against the risk of 	(iv) protection against the risk	(iv) protection against the risk	586
disruption of the system	of disruption of the system	of disruption of the system	
producing or making available	producing or making available	producing or making available	
Copernicus data and Copernicus	Copernicus data and Copernicus	Copernicus data and Copernicus	
information shall be ensured;	information and of the data	information and of the data itself	
	<u>itself</u> shall be ensured;	shall be ensured;	
 the protection of reliable access 	(v) the protection of reliable	(v) the protection of reliable	587
to Copernicus data and	access to Copernicus data and	access to Copernicus data and	
Copernicus information for	Copernicus information for	Copernicus information for	
European users shall be ensured.	European users shall be ensured.	European users shall be ensured.	
2. The Commission shall adopt	2. The Commission shall adopt	2. The Commission shall adopt	588
delegated acts in accordance with	delegated acts in accordance with	delegated acts in accordance with	
Article 105 concerning the	Article 105 concerning the	Article 105 concerning the	
specific provisions to supplement	specific provisions to supplement	specific provisions to supplement	
paragraph 1 as regards the	paragraph 1 as regards the	paragraph 1 as regards the	
specifications and conditions and	specifications and conditions and	specifications and conditions and	
procedures for the access to and	procedures for the access to and	procedures for the access to and	
use of Copernicus data and	use of Copernicus data and	use of Copernicus data and	
Copernicus information.	Copernicus information.	Copernicus information.	
Copermeus information.	Copermeus information.		

3. The Commission shall issue licenses and notices for access and use of Copernicus data and Copernicus information, including attribution clauses, in compliance with the Copernicus data policy as set out in this Regulation and applicable delegated acts under paragraph 2.		3. The Commission shall issue licenses and notices for access and use of Copernicus data and Copernicus information, including attribution clauses, in compliance with the Copernicus data policy as set out in this Regulation and applicable delegated acts under paragraph 2.	3. The Commission shall issue licenses and notices for access and use of Copernicus data and Copernicus information, including attribution clauses, in compliance with the Copernicus data policy as set out in this Regulation and applicable delegated acts under paragraph 2.	589
TITLE VIII		TITLE VIII		590
OTHER COMPONENTS OF THE PROGRAMME		OTHER COMPONENTS OF THE PROGRAMME		591
CHAPTER I		CHAPTER I		592
SSA		SSA		593
SECTION I		SECTION I		594
SST		SST		595
Article 53		Article 53		596
Scope of SST		Scope of SST		597
The SST component shall support	<u>AMD 186</u>	The SST component <u>sub-</u>	The SST sub-components shall	598
the following activities:	The SST programme aims at	components shall support the	support the following activities:	
	progressively equipping the Union with an autonomous SST capability.	following activities:		
	The SST component shall support the following activities:		Covered above	598a

(a) the establishment,	AMD 187	(a) the establishment,	(a) the establishment,	599
development and operation of a	(a) the establishment,	development, maintenance and	development and operation of a	
network of ground-based and/or	development and operation of a	operation of a network of ground-	network of ground-based and/or	
space-based sensors of the	network of ground-based and/or	based and/or space-based SST	space-based SST sensors of the	
Member States, including sensors	space-based sensors of the	sensors of the Member States,	Member States, including sensors	
developed through the European	Member States or of the Union,	including sensors developed	developed through the European	
Space Agency and nationally	including sensors developed	through the European Space	Space Agency or the Union	
operated Union sensors, to survey	through the European Space	Agency or the Union private	private sector, and nationally	
and track objects and to produce	Agency and nationally operated	sector, and nationally operated	operated Union sensors, to survey	
a European catalogue of space	Union sensors, to survey and	Union sensors, to survey and	and track space objects and to	
objects adapted to the needs of	track objects and to produce a	track space objects and to	produce a European catalogue' of	
the users referred to in Article 55;	European catalogue of space	produce a European catalogue' of	space objects;	
	objects adapted to the needs of	space objects adapted to the		
	the users referred to in Article 55;	needs of the users referred to in		
		Article 55;;		
(b) the processing and analysis of		(b) the processing and analysis of	(b) the processing and analysis of	600
SST data at national level in		SST data at national level in	SST data at national level in	
order to produce SST information		order to produce SST information	order to produce SST information	
and services referred to in Article		and services referred to in Article	and services referred to in Article	
54;		54;	54;	
(c) the supply of the SST services		(c) the supply provision of the	(c) the provision of the SST	601
referred to in Article 54 to the		SST services referred to in	services referred to in Article 54	
entities mentioned in Article 55;		Article 54 to the entities	to the users referred to in Article	
		mentioned users referred to in	55;	
		Article 55;		

	(cc) monitoring and seeking	(cc) monitoring and seeking	601a
	synergies with initiatives	synergies with initiatives	0014
		1 •	
	promoting development and	promoting development and	
	deployment of technologies for	deployment of technologies for	
	spacecraft disposal at the end of	spacecraft disposal at the end of	
	operational lifetime, of	operational lifetime, of	
	technological systems for the	technological systems for the	
	prevention and elimination of	prevention and elimination of	
	space debris as well as with the	space debris as well as with the	
	international initiatives in the	international initiatives in the	
	area of the space traffic	area of the space traffic	
	management.	management.	
(d) technical and administrative	2. The SST component shall	2. The SST component shall	602
support to ensure the transition	also provide (d) technical and	also provide technical and	
between the EU Space	administrative support to ensure	administrative support to ensure	
Programme and the SST Support	the transition between the EU	the transition between the EU	
Framework established by	Space Programme and the SST	Space Programme and the SST	
Decision No 541/2014/EU.	Support Framework established	Support Framework established	
	by Decision No 541/2014/EU.	by Decision No 541/2014/EU.	

Article 54	Article 54 Article 54	603
SST services	SST services SST services	604
1. SST services shall comprise:	1. SST services shall comprise: 1. SST services shall comprise:	605
(a) the risk assessment of collision between spacecraft or between spacecraft and space debris and the potential generation of collision avoidance alerts during the phases of launch, early orbit, orbit raising, in-orbit operations and disposal phases of spacecraft missions;	(a) the risk assessment of collision between spacecraft or between spacecraft and space debris and the potential generation of collision avoidance alerts during the phases of launch, early orbit, orbit raising, in-orbit operations and disposal phases of spacecraft missions; (a) the risk assessment of collision between spacecraft or between spacecraft and space debris and the potential generation of collision avoidance alerts during the phases of launch, early orbit, orbit raising, in-orbit operations and disposal phases of spacecraft missions;	606
(b) the detection and characterisation of in-orbit fragmentations, break-ups or collisions;	(b) the detection and characterisation of in-orbit fragmentations, break-ups or collisions; (b) the detection and characterisation of in-orbit fragmentations, break-ups or collisions;	607
(c) the risk assessment of the uncontrolled re-entry of space objects and space debris into the Earth's atmosphere and the generation of related information, including the estimation of the timeframe and likely location of possible impact;	(c) the risk assessment of the uncontrolled re-entry of space objects and space debris into the Earth's atmosphere and the generation of related information, including the estimation of the timeframe and likely location of possible impact; (c) the risk assessment of the uncontrolled re-entry of space objects and space debris into the Earth's atmosphere and the generation of related information, including the estimation of the timeframe and likely location of possible impact;	608

(d) the prevention of the proliferation of space debris.	of the pilinked to the pilinke	prevention development roliferation of activities to: pace debris: mitigation in o reduce their tion, and pace debris remediation to reging the existing space population.	 (d) the development of activities in preparation of: (i) space debris- mitigation in order to reduce their generation, and (ii) space debris remediation by managing the existing space debris. 	609
2. SST services shall be free of charge and be available at any time without interruption.	charge, time with adapted	services shall be free of and be available at any thout interruption and d to the needs of the eferred to in Article 55.	2. SST services shall be free of charge, available at any time without interruption and adapted to the needs of the users referred to in Article 55.	610
	States, where i	articipating Member the Commission and, relevant, the Front desk, ot be held liable for:	3. Participating Member States, the Commission and, where relevant, the Front desk, shall not be held liable for:	610a
	from th	ny damage resulting ne lack of or interruption provision of SST	a) damage resulting from the lack of or interruption in the provision of SST services;	610b
		ny delay in the provision services;	b) delay in the provision of SST services;"	610c

	(c) any inaccuracy of the	(c) inaccuracy of the	610d
	information provided through	information provided through the	
	the SST services; or	SST services; or	
	(d) any action undertaken in	(d) action undertaken in	610e
	response to the provision of	response to the provision of SST	
	SST services.	services.	
Article 55	Article 55		611
SST Users	SST Users		612
1. SST core users shall comprise	1. SST core <u>EU</u> users shall	1. EU users shall comprise:	613
all the Member States, the EEAS,	comprise all the:	(a) SST core users: Member	
the Commission, the Council,	(a) SST core users: Member	States, the EEAS, the	
public and private spacecraft	States, the EEAS, the	Commission, the Council, the	
owners and operators and public	Commission, the Council, <u>as well</u>	Agency as well as public and	
authorities concerned with civil	<u>as</u> public and private spacecraft	private spacecraft owners and	
protection established in the	owners and operators and public	operators established in the	
Union.	authorities concerned with civil	Union;	
	protection established in the		
	Union- <u>:</u> .		
2.Other public and private entities	2. (b) Other SST non-core	$\frac{2}{2}$ (b) SST non-core users:	614
(non-core users) established in	<u>users: other</u> public and private	other public and private entities	
the Union may have access to one	entities (non-core users)	established in the Union.	
of the services mentioned in	established in the Union.	SST core users shall have access	
points (b) to (d) of Article 54(1)	SST core users shall have	to all SST services referred to in	
provided that they comply with	access to all SST services	Article 54(1).	
the following criteria:	referred to in Article 54(1).	SST non core users may have	
	SST non core users may have	access to SST services referred to	
	access to one of the SST services	in points (b) to (d) of Article	
	mentioned referred to in points	54(1):	
	(b) to (d) of Article 54(1).		
	provided that they comply with		

	the following criteria:		
	2. International users shall comprise third countries, international organisations not having their headquarters in the Union and private entities not established in the Union under the following conditions:	2. International users shall comprise third countries, international organisations not having their headquarters in the Union and private entities not established in the Union under the following conditions:	614a
(a) the data is used for non-commercial purposes;	(a)third countries and international organisations not having their headquarters in the Union may have access to SST services pursuant to Article 8(1a); the data is used for non-commercial purposes;	(a) third countries and international organisations not having their headquarters in the Union may have access to SST services pursuant to Article 8(1a);	615
(b) an appropriate security level of the data received in ensured.	(b) Private entities not established in the Union may have access to SST services subject to an international agreement, established in accordance with Article 8(1a), with the third country in which they are established granting them that access. an appropriate security level of the data received in ensured.	(b) Private entities not established in the Union may have access to SST services subject to an international agreement, established in accordance with Article 8(1a), with the third country in which they are established granting them that access.	616

		3. By derogation to paragraph 2 of this Article, no international agreement shall be required where an SST service referred to in Article 54(1) is publically available.	3. By derogation to paragraph 2 of this Article, no international agreement shall be required where an SST service referred to in Article 54(1) is publically available.	616a
The Commission may adopt, by means of implementing acts, detailed provisions concerning those criteria and relevant procedures. Those provisions shall be adopted in accordance with the examination procedure referred to in Article 107(3).		4. The Commission may adopt, by means of implementing acts, detailed provisions concerning those criteria the access to SST services and relevant procedures. Those provisions shall be adopted in accordance with the examination procedure referred to in Article 107(3).	4. The Commission may adopt, by means of implementing acts, detailed provisions concerning the access to SST services and relevant procedures. Those provisions shall be adopted in accordance with the examination procedure referred to in Article 107(3).	617
Article 56		Article 56	Article 56	618
Participation of Member States		Participation of Member States	Participation of Member States	619
1. Member States wishing to participate in the delivery of SST services referred to in Article 54 shall submit a joint proposal to the Commission demonstrating compliance with the following criteria:	AMD 188 Member States wishing to participate in the delivery of SST services referred to in Article 54 shall submit a <i>single or</i> joint proposal to the Commission demonstrating compliance with the following criteria:	1. Member States wishing to participate in the delivery provision of SST services referred to in Article 54 covering all orbits shall submit a single joint proposal to the Commission demonstrating compliance with the following criteria:	1. Member States wishing to participate in the provision of SST services referred to in Article 54 covering all orbits shall submit a single joint proposal to the Commission demonstrating compliance with the following criteria:	620

(a) ownership of, or access to, either adequate SST sensors available for EU SST and human resources to operate them, or adequate operational analysis and data processing capabilities specifically designed for SST and available for EU SST;	(a) ownership of, or access to, either adequate SST sensors available for EU SST and human resources to operate them, or adequate operational analysis and data processing capabilities specifically designed for SST and available for EU SST;	(a) ownership of, or access to, either adequate SST sensors available for EU SST and human resources to operate them, or adequate operational analysis and data processing capabilities specifically designed for SST and available for EU SST;	621
(b) initial security risk assessment of each SST asset performed and validated by the relevant Member State;	(b) initial security risk assessment of each SST asset performed and validated by the relevant Member State;	(b) initial security risk assessment of each SST asset performed and validated by the relevant Member State;	622
(c) an action plan taking into account the coordination plan adopted under Article 6 of Decision 541/2014/EU, for the implementation of the activities set out in Article 53 of this Regulation;	(c) an action plan taking into account the coordination plan adopted under Article 6 of Decision 541/2014/EU, for the implementation of the activities set out in Article 53 of this Regulation;	(c) an action plan taking into account the coordination plan adopted under Article 6 of Decision 541/2014/EU, for the implementation of the activities set out in Article 53 of this Regulation;	623
(d) the distribution of the different activities among the Expert Teams as designated pursuant to Article 57;	(d) the distribution of the different activities among the Expert Teams as designated pursuant to Article 57;	(d) the distribution of the different activities among the Expert Teams as designated pursuant to Article 57;	624

(e) the rules on the sharing of data necessary for achieving the objectives referred to in Article 4.	(e) the rules on the sharing of data necessary for achieving the objectives referred to in Article 4.	(e) the rules on the sharing of data necessary for achieving the objectives referred to in Article 4.	625
As concerns criteria set out in points (a) and (b), each Member States wishing to participate in the delivery of SST services shall demonstrate compliance with these criteria separately.	As concerns criteria set out in points (a) and (b), each Member States wishing to participate in the delivery provision of SST services shall demonstrate compliance with these criteria separately.	As concerns criteria set out in points (a) and (b), each Member States wishing to participate in the provision of SST services shall demonstrate compliance with these criteria separately.	626
	As concerns criteria set out in points c) to e), all Member States wishing to participate in the delivery of SST services shall demonstrate compliance with those criteria collectively.	As concerns criteria set out in points c) to e), all Member States wishing to participate in the delivery of SST services shall demonstrate compliance with those criteria collectively.	626a
2. The criteria referred to in points (a) and (b) of paragraph 1 shall be deemed to be fulfilled by the participating Member States whose designated national entities are members of the Consortium established in accordance with Article 7 of Decision No 541/2014/EU as on the date of entry into force of this Regulation.	2. The criteria referred to in points (a) and (b) of paragraph 1 shall be deemed to be fulfilled by the participating Member States whose designated national entities are members of the Consortium established in accordance with Article 7 of Decision No 541/2014/EU as on the date of entry into force of this Regulation.	2. The criteria referred to in points (a) and (b) of paragraph 1 shall be deemed to be fulfilled by the participating Member States whose designated national entities are members of the Consortium established in accordance with Article 7 of Decision No 541/2014/EU as on the date of entry into force of this Regulation.	627

3. Where no joint proposal has been submitted in accordance with paragraph 1 or where the Commission considers that a joint proposal thus submitted does not comply with the criteria referred to in paragraph 1, at least three Member States found to fulfil the criteria laid down in paragraph 1 may submit jointly offers to the Commission concerning a specific orbit regime.	3. Where no joint proposal has been submitted in accordance with paragraph 1 or where the Commission considers that a joint proposal thus submitted does not comply with the criteria referred to in paragraph 1, at least three five Member States found to fulfil the criteria laid down in paragraph 1 may submit jointly offers a new joint proposal to the Commissionconcerning a specific orbit regime. 2 demonstrating compliance with the criteria referred to in paragraph 1.	3. Where no joint proposal has been submitted in accordance with paragraph 1 or where the Commission considers that a joint proposal thus submitted does not comply with the criteria referred to in paragraph 1, at least five Member States may submit a new joint proposal to the Commission, demonstrating compliance with the criteria referred to in paragraph 1.	628
4. The Commission may adopt, by means of implementing acts, the detailed provisions concerning the procedures and elements referred to in paragraphs 1 to 3. Those implementing measures shall be adopted in accordance with the examination procedure referred to in Article 107(3).	4. The Commission may adopt, by means of implementing acts, the detailed provisions concerning the procedures and elements referred to in paragraphs 1 to 3. Those implementing measures shall be adopted in accordance with the examination procedure referred to in Article 107(3).	4. The Commission may adopt, by means of implementing acts, the detailed provisions concerning the procedures and elements referred to in paragraphs 1 to 3. Those implementing measures shall be adopted in accordance with the examination procedure referred to in Article 107(3).	629

Article 57	Article 57	Article 57	630
Organisational framework of	Organisational framework of	Organisational framework of	631
Member States' participation	Member States' participation	Member States' participation	
1. All Member States which have submitted a proposal that has been found compliant by the Commission in accordance with Article 56(1) or which have been selected by the Commission pursuant to the procedure referred to in Article 56(3) shall designate a Constituting National Entity established on their territory to represent them.	1. All Member States which have submitted a proposal that has been found compliant by the Commission in accordance with Article 56(1) or which have been selected by the Commission pursuant to the procedure referred to in Article 56(3) shall designate a Constituting National Entity established on their territory to represent them. The Constituting National Entity shall be a Member State public authority or a body entrusted with the exercise of such public authority.	1. All Member States which have submitted a proposal that has been found compliant by the Commission in accordance with Article 56(1) or which have been selected by the Commission pursuant to the procedure referred to in Article 56(3) shall designate a Constituting National Entity established on their territory to represent them. The Constituting National Entity shall be a Member State public authority or a body entrusted with the exercise of such public authority.	632

2. The Constituting National	2. The Constituting National	2. The Constituting National	633
Entities designated pursuant to	Entities designated pursuant to	Entities designated pursuant to	
paragraph 1 shall conclude an	paragraph 1 shall conclude an	paragraph 1 shall conclude an	
agreement creating an SST	agreement creating an SST	agreement creating an SST	
partnership and laying down the	partnership and laying down the	partnership and laying down the	
rules and mechanisms for their	rules and mechanisms for their	rules and mechanisms for their	
cooperation in implementing the	cooperation in implementing the	cooperation in implementing the	
activities referred to in Article 53.	activities referred to in Article 53.	activities referred to in Article 53.	
In particular, that agreement shall	In particular, that agreement shall	In particular, that agreement shall	
include the elements mentioned	include the elements mentioned	include the elements mentioned	
in points (c) to (e) of Article	in points (c) to (e) of Article	in points (c) to (e) of Article	
56(1) and the establishment of a	56(1) and the establishment of a	56(1) and the establishment of a	
risk management structure to	risk management structure to	risk management structure to	
ensure the implementation of the	ensure the implementation of the	ensure the implementation of the	
provisions on the use and secure	provisions on the use and secure	provisions on the use and secure	
exchange of SST data and SST	exchange of SST data and SST	exchange of SST data and SST	
information.	information.	information.	
3. The Constituting National	3. The Constituting National	3. The Constituting National	634
Entities shall develop Union SST	Entities shall develop Union SST	Entities shall develop Union SST	
services of high quality in	services of high quality in	services of high quality in	
accordance with a multiannual	accordance with a multiannual	accordance with a multiannual	
plan, relevant key performance	plan, relevant key performance	plan, relevant key performance	
indicators and users'	indicators and users'	indicators and users'	
requirements, on the basis of the	requirements, on the basis of the	requirements, on the basis of the	
activities of the Expert Teams	activities of the Expert Teams	activities of the Expert Teams	
referred to in paragraph 6. The	referred to in paragraph 6. The	referred to in paragraph 6. The	
Commission may adopt, by	Commission may adopt, by	Commission may adopt, by	
means of implementing acts, the	means of implementing acts, the	means of implementing acts, the	
multiannual plan and the key	multiannual plan and the key	multiannual plan and the key	
r	T I	r	

performance indicators in accordance with the examination procedure referred to in Article 107(3).	performance indicators in accordance with the examination procedure referred to in Article 107(3). performance indicators in accordance with the examination procedure referred to in Article 107(3).	
4. The Constituting National Entities shall network existing and possible future sensors to operate them in a coordinated and optimised way with a view to establishing and maintaining an up-to-date common European catalogue.	4. The Constituting National Entities shall network existing and possible future sensors to operate them in a coordinated and optimised way with a view to establishing and maintaining an up-to-date common European catalogue, without prejudice to Member States' prerogatives in the area of national 4. The Constituting National Entities shall network existing and possible future sensors to operate them in a coordinated and optimised way with a view to establishing and maintaining an up-to-date common European catalogue, without prejudice to Member States' prerogatives in the area of national security.	635
5. The participating Member States shall perform security accreditation on the basis of the general security requirements referred to in Article 34(1).	5. The participating Member States shall perform security accreditation on the basis of the general security requirements referred to in Article 34(1). 5. The participating Member States shall perform security accreditation on the basis of the general security requirements referred to in Article 34(1).	636
6. Expert Teams shall be designated by the SST participating Member States to be in charge of specific issues related to the different SST activities. The Expert Teams shall be permanent, managed and staffed by the Constituting National Entities of the Member States which set them up and may include experts from every Constituting National Entity.	6. Expert Teams shall be designated by the SST participating Member States to be in charge of specific issues related to the different SST activities. The Expert Teams shall be permanent, managed and staffed by the Constituting National Entities of the Member States which set them up and may include experts from every Constituting National Entity. 6. Expert Teams shall be designated by the SST participating Member States to be in charge of specific issues related to the different SST activities. The Expert Teams shall be permanent, managed and staffed by the Constituting National Entities of the Member States which set them up and may include experts from every Constituting National Entity.	1
7. Constituting National Entities	7. Constituting National Entities 7. Constituting National Entities	638

and Expert Teams shall ensure		and Expert Teams shall ensure	and Expert Teams shall ensure	
the protection of SST data, SST		the protection of SST data, SST	the protection of SST data, SST	
information and SST services.		information and SST services.	information and SST services.	
	AMD 189	8. The Commission shall adopt,	Institutional issues	639
8. The Commission shall adopt,	8. The Commission shall	_	(delegated/implementing acts)	039
by implementing acts, detailed		by implementing acts, detailed	(deteguied/impiementing dets)	
rules on the functioning of the organisational framework of the	adopt delegated acts in accordance with Article 105	rules on the functioning of the organisational framework of the		
participation of Member States in	concerning the specific	participation of Member States in SST. Those rules shall also		
SST. Those implementing acts	provision, detailed rules on the			
shall be adopted in accordance with the examination procedure	functioning of the organisational framework of the participation of	cover for the inclusion at a later stage of a Member State in the		
referred to in Article 107(3).	Member States in SST. Those	SST partnership agreement		
referred to in Article 107(3).		referred to in paragraph 2 of		
	implementing acts shall be adopted in accordance with the	this Article. Those implementing		
	examination procedure referred to	acts shall be adopted in		
	in Article 107(3).	accordance with the examination		
	III Afficie 107(3).			
		procedure referred to in Article 107(3).		
		107(3).		
Article 58		Article 58	Article 58	640
SST Front desk		SST Front desk	SST Front desk	641
1. The Commission shall select		1. The Commission, taking into	1. The Commission, taking into	642
on the basis of the best expertise		account the recommendation of	account the recommendation of	
in security issues the SST Front		the Constituting National	the Constituting National	
Desk. That front desk shall:		Entities, shall select the SST	Entities, shall select the SST	
		Front Desk on the basis of the	Front Desk on the basis of the	
		best expertise in security issues	best expertise in security issues	
		the SST Front Desk. and in	and in service provision. That	
		service provision. That front	front desk shall:	
		desk shall:		

(a) provide the necessary secure interfaces to centralise, store and make available SST information to SST users, ensuring its proper handling and traceability;	(a) provide the necessary secure interfaces to centralise, store and make available SST information to SST users, ensuring its proper their adequate handling and traceability; (a) provide the necessary secure interfaces to centralise, store and make available SST information to SST users, ensuring their adequate handling and traceability;	643
(b) provide direct reporting on the performance of the SST services;	(b) provide direct reporting on the performance of the SST services to the SST partnership and the Commission; (b) provide reporting on the performance of the SST services to the SST partnership and the Commission;	644
(c) gather feedback to ensure the required alignment of services with user expectations;	(c) gather the necessary feedback for the SST partnership to ensure the required alignment of services with user expectations; (c) gather the necessary feedback for the SST partnership to ensure the required alignment of services with user expectations;	645
(d) support, promote and encourage the use of the services.	(d) support, promote and encourage the use of the services. (d) support, promote and encourage the use of the services.	646
2. The Constituting National Entities shall conclude the necessary implementing arrangements with the SST Front Desk.	2. The Constituting National Entities shall conclude the necessary implementing arrangements with the SST Front Desk. 2. The Constituting National Entities shall conclude the necessary implementing arrangements with the SST Front Desk.	647

Amd 19 Article 5	_	EP OK to withdraw	647a
	itoring of supply and demand for SST	EP OK to withdraw	647b
Commis impleme compone regards needs in based ar capacity producti	If December 2024, the sion shall evaluate the entation of the SST ent, in particular as the evolution of the user erelation to the ground and space based sensors and shall complete the ion of the European are provided for in Article	EP OK to withdraw	647c
particula	luation shall, in ar, examine the need for al space and ground uctures	EP OK to withdraw	647d
accompos appropri develope and grow	luation shall be anied, if necessary, by an iate proposal for the nent of additional space und infrastructures ne SST component.	EP OK to withdraw	647e

SECTION II	SECTION II	SECTION II	648
Space Weather and NEO	Space Weather and NEO	Space Weather and NEO	649
Article 59	Article 59	Article 59	650
Space Weather activities	Space Weather activities	Space Weather activities	651
1. The space weather function may support the following activities:	1. The space weather function sub-components may support the following activities:	1. The space weather sub- components may support the following activities:	652
(a) the assessment and identification of the needs of the users in the sectors identified in paragraph 2(b) with the aim of setting out the space weather services to be provided;	(a) the assessment and identification of the needs of the users in the sectors identified in paragraph 2(b) with the aim of setting out the space weather services to be provided;	(a) the assessment and identification of the needs of the users in the sectors identified in paragraph 2(b) with the aim of setting out the space weather services to be provided;	653
(b) the provision of space weather services to the space weather users, according to the identified users' needs and technical requirements.	(b) the provision of space weather services to the space weather services' users, according to the identified users' needs and technical requirements.	(b) the provision of space weather services to the space weather services' users, according to the identified users' needs and technical requirements.	654
2. Space weather services shall be available at any time without interruption and may be selected according to the following rules:	2. Space weather services shall be available at any time without interruption. and may be selected The Commission shall select, by means of implementing acts, those services according to the following rules:	2. Space weather services shall be available at any time without interruption. The Commission shall select, by means of implementing acts, those services according to the following rules:	655

(a) the Commission shall prioritise the space weather services to be delivered at Union level according to the needs of users, the technological readiness of the services and the result of a risk assessment;	(a) the Commission shall prioritise the space weather services to be delivered at Union level according to the needs of users, the technological readiness of the services and the result of a risk assessment;	(a) the Commission shall prioritise the space weather services to be delivered at Union level according to the needs of users, the technological readiness of the services and the result of a risk assessment;	656
(b) the space weather services may contribute to the protection of the following sectors: spacecraft, aviation, GNSSs, electric power grids and communications.	(b) the space weather services may contribute to <u>civil</u> <u>protection activities and to</u> the protection of the following <u>a</u> <u>wide range of sectors: spacecraft, aviation such as: space, transport, GNSSs, electric power grids and communications.</u>	(b) the space weather services may contribute to civil protection activities and to the protection of a wide range of sectors such as: space, transport, GNSSs, electric power grids and communications.	657
	Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 107(2).	Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 107(2).	657a
3. The selection of entities to provide space weather services shall be performed through a call for tenders.	3. The selection of <u>public or</u> <u>private</u> entities to provide space weather services shall be performed through a call for tenders.	3. The selection of public or private entities to provide space weather services shall be performed through a call for tenders.	658

Article 60		Article 60	Article 60	659
NEO activities		NEO activities	NEO activities	660
1. The NEO function may support the following activities:		1. The NEO function sub- components may support the following activities:	1. The NEO sub-components may support the following activities:	661
(a) the mapping of Member States' capacities for detecting and monitoring NEOs;		(a) the mapping of Member States' capacities for detecting and monitoring NEOs;	(a) the mapping of Member States' capacities for detecting and monitoring NEOs;	662
(b) the promotion of the networking of Member States' facilities and research centres;		(b) the promotion of the networking of Member States' facilities and research centres;	(b) the promotion of the networking of Member States' facilities and research centres;	663
(c) the development of the service referred to in paragraph 2.		(c) the development of the service referred to in paragraph 2.	(c) the development of the service referred to in paragraph 2.	664
		(d) the development of a routine rapid response service able to characterise newly discovered NEOs.	(d) the development of a routine rapid response service able to characterise newly discovered NEOs.	664a
	AMD 191 (ca) the creation of a European catalogue of NEO.		(ca) the creation of a European catalogue of NEO.	664b

2. The Commission may coordinate the actions of the Union and national public authorities concerned with civil protection in the event a NEO is found to be approaching Earth.		2. The Commission, in its field of competence, may put in place procedures to coordinate, with the involvement of the appropriate United Nation's bodies, the actions of the Union and national public authorities concerned with civil protection in the event a NEO is found to be approaching Earth.	2. The Commission, in its field of competence, may put in place procedures to coordinate, with the involvement of the appropriate United Nation's bodies, the actions of the Union and national public authorities concerned with civil protection in the event a NEO is found to be approaching Earth.	665
CHAPTER II		CHAPTER II	CHAPTER II	666
GOVSATCOM		GOVSATCOM	GOVSATCOM	667
Article 61		Article 61	Article 61	668
Scope of GOVSATCOM		Scope of GOVSATCOM	Scope of GOVSATCOM	669
Under the GOVSATCOM	AMD 192	Under the GOVSATCOM	Under the GOVSATCOM	670
component satellite	Under the GOVSATCOM	component satellite	component satellite	
communication capacities and services shall be combined into a	component satellite	communication capacities and services shall be combined into a	communication capacities and services shall be combined into a	
common Union pool of satellite	communication capacities and services shall be combined into a		common Union pool of satellite	
communication capacities and	common Union pool of satellite	common Union pool of satellite communication capacities and	communication capacities and	
services. This component	communication capacities and	services-, with appropriate	services, with appropriate	
comprises:	services with appropriate	security requirements. This	security requirements. This	
comprises.	security requirements. This	component comprises:	component comprises:	
	component <i>may comprise</i> :	component comprises.	component comprises.	
(a) the development,	AMD 193	(a) the development,	(a) the development,	671
construction, and operations of	(a) the development,	construction, and operations of	construction, and operations of	
the ground segment	construction, and operations of	the ground segment	the ground segment	
infrastructure;	the ground <i>and space</i> segment	infrastructure; referred to in	infrastructure; referred to in	
	infrastructure;	Article 66 and possible space	Article 66 and possible space	
		infrastructure referred to in	infrastructure referred to in	
		Article 69;	Article 69;	

(b) the procurement of satellite	(b) the procurement of	(b) the procurement of	672
communication capacity,	governmental and commercial	governmental and commercial	
services, and user equipment	satellite communication capacity,	satellite communication capacity,	
necessary for the provision of	services, and user equipment	services, and user equipment	
GOVSATCOM services;	necessary for the provision of	necessary for the provision of	
	GOVSATCOM services;	GOVSATCOM services;	
(c) measures necessary to further	(c) measures necessary to further	(c) measures necessary to further	673
interoperability and	interoperability and	interoperability and	
standardisation of	standardisation of	standardisation of	
GOVSATCOM user equipment.	GOVSATCOM user equipment.	GOVSATCOM user equipment.	
Article 62	Article 62	Article 62	674
Capacities and services	Capacities and services	Capacities and services	675
provided under GOVSATCOM	provided under GOVSATCOM	provided under GOVSATCOM	
1. The provision of	1. The provision of	1. The provision of	676
GOVSATCOM capacities and	GOVSATCOM capacities and	GOVSATCOM capacities and	
services, free of charge for	services , free of charge for	services shall be ensured as laid	
GOVSATCOM users, shall be	GOVSATCOM users, shall be	down in the service portfolio	
ensured as laid down in the	ensured as laid down in the	referred to in paragraph 3, in	
service portfolio referred to in	service portfolio referred to in	accordance with the operational	
paragraph 3, in accordance with	paragraph 3, in accordance with	requirements referred to in	
the operational requirements	the operational requirements	paragraph 2, GOVSATCOM	
referred to in paragraph 2,	referred to in paragraph 2,	specific security requirements	
GOVSATCOM specific security	GOVSATCOM specific security	referred to in Article 34(1) and	
requirements referred to in	requirements referred to in	within the limits of the sharing	
Article 34(1) and within the	Article 34(1) and within the	and prioritisation rules referred to	
limits of the sharing and	limits of the sharing and	in Article 65. Access to	
prioritisation rules referred to in	prioritisation rules referred to in	GOVSATCOM capacities and	
Article 65.	Article 65.	services shall be free of charge	
		for institutional and governmental	
		users unless the Commission	
		decides on a princing policy in	
		accordance with Article 65(2)	

677

2. The Commission shall adopt, by means of implementing acts, the operational requirements for services provided under GOVSATCOM, in the form of technical specifications for usecases related to crisis management, surveillance and key infrastructure management, including diplomatic communication networks. Those operational requirements shall be based on the detailed analysis of the requirements of users, and taking into account requirements stemming from existing user equipment and networks. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3).

2. The Commission shall adopt, by means of implementing acts, the operational requirements for services provided under GOVSATCOM, in the form of technical specifications for usecases related in particular to crisis management, surveillance and key infrastructure management, including diplomatic communication networks. Those operational requirements shall be based on the detailed analysis of the requirements of users, and taking into account requirements stemming from existing user equipment and networks. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3).

2. The Commission shall adopt, by means of implementing acts, the operational requirements for services provided under GOVSATCOM, in the form of technical specifications for usecases related in particular to crisis management, surveillance and key infrastructure management, including diplomatic communication networks. Those operational requirements shall be based on the detailed analysis of the requirements of users, and taking into account requirements stemming from existing user equipment and networks. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3).

3. The Commission shall adopt,	AMD 194	3. The Commission shall adopt,	3. The Commission shall adopt,	678
by means of implementing acts,	3. The Commission shall	by means of implementing acts,	by means of implementing acts,	
the service portfolio for services	adopt, by means of implementing	the service portfolio for services	the service portfolio for services	
provided under GOVSATCOM,	acts, the service portfolio for	provided under GOVSATCOM,	provided under GOVSATCOM,	
in the form of a list of categories	services provided under	in the form of a list of categories	in the form of a list of categories	
of satellite communication	GOVSATCOM, in the form of a	of satellite communication	of satellite communication	
capacities and services and their	list of categories of satellite	capacities and services and their	capacities and services and their	
attributes, including geographic	communication capacities and	attributes, including geographic	attributes, including geographic	
coverage, frequency, bandwidth,	services and their attributes,	coverage, frequency, bandwidth,	coverage, frequency, bandwidth,	
user equipment, and security	including geographic coverage,	user equipment, and security	user equipment, and security	
features. Those measures shall be	frequency, bandwidth, user	features. Those measures shall be	features. Those measures shall be	
based on the operational and	equipment, and security features.	regularly updated and shall be	regularly updated and shall be	
security requirements referred to	Those measures shall be based on	based on the operational and	based on the operational and	
in paragraph 1 and shall prioritise	the operational and security	security requirements referred to	security requirements referred to	
services provided to users at	requirements referred to in	in paragraph 1 and shall prioritise	in paragraph 1 and shall prioritise	
Union level. Those implementing	paragraph 1. Those implementing	services provided to users at	services provided to users	
acts shall be adopted in	acts shall be adopted in	Union level. according to their	according to their relevance and	
accordance with the examination	accordance with the examination	relevance and criticality. Those	criticality. Those implementing	
procedure referred to in Article	procedure referred to in Article	implementing acts shall be	acts shall be adopted in	
107(3).	107(3).	adopted in accordance with the	accordance with the examination	
		examination procedure referred to	procedure referred to in Article	
		in Article 107(3).	107(3).	
	AMD 195		3a. The service portfolio	678a
	3a. The service portfolio		referred to in paragraph 3 shall	
	referred to in paragraph 3 shall		take into consideration existing	
	take into consideration existing		commercially available services	
	commercially available services		in order not to distort competition	
	in order not to distort		in the internal market.	
	competition in the internal			
	market.			

4. GOVSATCOM users shall have access to the capacities and services listed in the service portfolio through the GOVSATCOM Hubs referred to in Article 66.		4. GOVSATCOM users shall have access to the capacities and services listed in the service portfolio. That access shall be provided through the GOVSATCOM Hubs referred to in Article 66.	4. GOVSATCOM users shall have access to the capacities and services listed in the service portfolio. That access shall be provided through the GOVSATCOM Hubs referred to in Article 66.	679
Article 63		Article 63	Article 63	680
Providers of satellite		Providers of satellite	Providers of satellite	681
communication capacities and		communication capacities and	communication capacities and	
services		services	services	
Satellite communication		Satellite communication	Satellite communication	682
capacities and services under this		capacities and services under this	capacities and services under this	
component may be provided by		component may be provided by	component may be provided by	
the following entities:		the following entities:	the following entities:	
(a) GOVSATCOM participants,		(a) GOVSATCOM participants	(a) GOVSATCOM participants	683
and		as referred to in Article 67, and	as referred to in Article 67, and	
(b) legal persons duly accredited	<u>AMD 196</u>	(b) legal persons duly accredited	(b) legal persons duly accredited	684
to provide satellite capacities or	(b) legal persons duly	to provide satellite capacities or	to provide satellite capacities or	
services in accordance with the	accredited to provide satellite	services in accordance with the	services in accordance with the	
security accreditation procedure	capacities or services in	security accreditation procedure	security accreditation procedure	
in Article 36, based on the	accordance with the security	referred to in Article 36, which	referred to in Article 36, which	
specific security requirements for	accreditation procedure in Article	shall be based on the specific	shall be based on the general	
the GOVSATCOM component	36.	general security requirements for	security requirements referred to	
referred to in Article 34 (1).		the GOVSATCOM component	in Article 34 (1) defined for the	
		referred to in Article 34	GOVSATCOM component	
		(1)-defined for the		
		GOVSATCOM component .		

	AMD 197 (ba) The providers of satellite communication capacities or services under this component shall comply with the specific security requirements for the GOVSATCOM component determined in accordance with Article 34(1).		EP OK to withdraw	684a
Article 64		Article 64	Article 64	685
GOVSATCOM use		GOVSATCOM use <u>rs</u>	GOVSATCOM users	686
1. The following entities may be GOVSATCOM users provided that they are entrusted with tasks relating to the supervision and management of security-critical missions, operations and infrastructures:		1. The following entities may be GOVSATCOM users provided that they are entrusted with tasks relating to the supervision and management of emergency and security-critical missions, operations and infrastructures:	1. The following entities may be GOVSATCOM users provided that they are entrusted with tasks relating to the supervision and management of emergency and security-critical missions, operations and infrastructures:	687
(a) Union or Member State public authority or a body charged with the exercise of such public authority,		(a) Union or Member State public authority or a body charged with the exercise of such public authority,	(a) Union or Member State public authority or a body charged with the exercise of such public authority,	688
(b) a natural or legal person.		(b) a natural or legal person acting on behalf of and under the control of an entity referred to under (a).	(b) a natural or legal person acting on behalf of and under the control of an entity referred to under (a).	689

2. GOVSATCOM users shall be duly authorised by a participant referred to in Article 67 to use GOVSATCOM capacities and services.		2. GOVSATCOM users shall be duly authorised by a participant referred to in Article 67 to use GOVSATCOM capacities and services and shall comply with the general security requirements referred to in Article 34(1), defined for the GOVSATCOM component.	2. GOVSATCOM users shall be duly authorised by a participant referred to in Article 67 to use GOVSATCOM capacities and services and shall comply with the general security requirements referred to in Article 34(1), defined for the GOVSATCOM component.	690
Article 65		Article 65	Article 65	691
Sharing and prioritisation		Sharing and prioritisation	Sharing and prioritisation	692
1. Pooled satellite communication capacities, services and user equipment shall be shared and prioritised between GOVSATCOM participants on the basis of an analysis of security risks by the users at Union and Member State level. This sharing and prioritisation shall prioritise users at Union level.	AMD 198 1. Pooled satellite communication capacities, services and user equipment shall be shared and prioritised between GOVSATCOM participants on the basis of an analysis of security risks by the users at Union and Member State level.	1. Pooled satellite communication capacities, services and user equipment shall be shared and prioritised between GOVSATCOM participants on the basis of an analysis of safety and security risks by of the users 79. Such analysis shall-take into account existing communication infrastructure and availability of existing capabilities as well as their geographic coverage, at Union and Member State level. This	1. Pooled satellite communication capacities, services and user equipment shall be shared and prioritised between GOVSATCOM participants on the basis of an analysis of safety and security risks of the users ⁸⁰ . Such analysis shall-take into account existing communication infrastructure and availability of existing capabilities as well as their geographic coverage, at Union and Member State level. This sharing and prioritisation	693

Article 34 should include rules on the performance of security risks referred to in article 65(1).

Article 34 should include rules on the performance of security risks referred to in article 65(1).

	sharing and prioritisation shall prioritise users at Union level according to their relevance and criticality, and if necessary, define a pricing policy.	shall prioritise users according to their relevance and criticality.	
2. The Commission shall adopt, by means of implementing acts, the detailed rules on the sharing and prioritisation of capacities, services, and user equipment, taking into account expected demand for the different usecases and the analysis of security risks for those use-cases. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3).	2. The Commission shall adopt, by means of implementing acts, the detailed rules on the sharing and prioritisation of capacities, services, and user equipment, taking into account expected demand for the different use-cases and, the analysis of security risks for those use-cases- and, where appropriate, cost-efficiency. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3).	2. The Commission shall adopt, by means of implementing acts, the detailed rules on the sharing and prioritisation of capacities, services, and user equipment, taking into account expected demand for the different use-cases, the analysis of security risks for those use-cases- and, where appropriate, cost-efficiency. — By defining a pricing policy in those rules, the Commission shall ensure that the provision of GOVSATCOM capacities and services does not distort the market and shall ensure that there is no shortage of GOVSATCOM capacities. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3).	694

3. The sharing and prioritisation of satellite communication capacities and services between GOVSATCOM users which are authorised by the same GOVSATCOM participant shall be determined and implemented by that participant.	3. The sharing and prioritisation of satellite communication capacities and services between GOVSATCOM users which are authorised by the same GOVSATCOM participant shall be determined and implemented by that participant.	3. The sharing and prioritisation of satellite communication capacities and services between GOVSATCOM users which are authorised by the same GOVSATCOM participant shall be determined and implemented by that participant.	695
Article 66	Article 66	Article 66	696
Ground segment infrastructure and operation	Ground segment infrastructure and operation	Ground segment infrastructure and operation	697
1. The ground segment shall include infrastructure necessary to enable the provision of services to users in accordance with Article 65, particularly the GOVSATCOM Hubs which shall be procured under this component to connect GOVSATCOM users with providers of satellite communication capacities and services.	1. The ground segment shall include infrastructure necessary to enable the provision of services to users in accordance with Article 65, particularly the GOVSATCOM Hubs which shall be procured under this component to connect GOVSATCOM users with providers of satellite communication capacities and services. The ground segment and its operation shall comply with the general security requirement referred to in Article 34(1), defined for the GOVSATCOM component.	1. The ground segment shall include infrastructure necessary to enable the provision of services to users in accordance with Article 65, particularly the GOVSATCOM Hubs which shall be procured under this component to connect GOVSATCOM users with providers of satellite communication capacities and services. The ground segment and its operation shall comply with the general security requirement referred to in Article 34(1), defined for the GOVSATCOM component.	698

	AMD 199 1a. GOVSATCOM Hubs shall take into consideration existing commercially available services existing in order not to distort competition in the internal market.		EP OK to withdraw	698a
2. The Commission shall determine, by means of implementing acts, the location of the ground segment infrastructure. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3).		2. The Commission shall determine, by means of implementing acts, the location of the ground segment infrastructure. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3) , and shall be without prejudice to the right of a Member State to decide not to host any such infrastructure.	2. The Commission shall determine, by means of implementing acts, the location of the ground segment infrastructure. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(3), and shall be without prejudice to the right of a Member State to decide not to host any such infrastructure.	699
Article 67		Article 67	Article 67	700
GOVSATCOM participants		GOVSATCOM participants	GOVSATCOM participants	701
and competent authorities		and competent authorities	and competent authorities	
1. Member States, the Council, the Commission and the EEAS shall be GOVSATCOM participants insofar as they authorise GOVSATCOM users, or provide satellite communication capacities or ground segment sites or part of		1. Member States, the Council, the Commission and the EEAS shall be GOVSATCOM participants insofar as they authorise GOVSATCOM users, or provide satellite communication capacities or ground segment sites or part of	1. Member States, the Council, the Commission and the EEAS shall be GOVSATCOM participants insofar as they authorise GOVSATCOM users, or provide satellite communication capacities or ground segment sites or part of	702
the ground segment facilities.		the ground segment facilities.	the ground segment facilities.	

	Where the Council, the Commission or the EEAS authorise GOVSATCOM users, or provide satellite communication capacities or ground segment sites or part of the ground segment facilities, on the territory of a Member State, such authorisation or provision shall not contravene neutrality or non-alignment provisions stipulated in the constitutional law of that Member State.	Where the Council, the Commission or the EEAS authorise GOVSATCOM users, or provide satellite communication capacities or ground segment sites or part of the ground segment facilities, on the territory of a Member State, such authorisation or provision shall not contravene neutrality or non-alignment provisions stipulated in the constitutional law of that Member State.	702a
2. Union agencies may become GOVSATCOM participants if authorisations have been issued by the Union institution that supervises them.	2. Union agencies may become GOVSATCOM participants if authorisations have been issued by only insofar as necessary to fulfill their tasks and in accordance with detailed rules laid down in an administrative arrangement concluded between the agency concerned and the Union institution that supervises them it.	2. Union agencies may become GOVSATCOM participants only insofar as necessary to fulfill their tasks and in accordance with detailed rules laid down in an administrative arrangement concluded between the agency concerned and the Union institution that supervises it.	703
3. Each participant shall designate one competent GOVSATCOM authority.	3. Each participant shall designate one competent GOVSATCOM authority.	3. Each participant shall designate one competent GOVSATCOM authority.	704

4. A competent GOVSATCOM authority shall ensure that	4. A competent GOVSATCOM authority shall ensure that	4. A competent GOVSATCOM authority shall ensure that	705
(a) the use of services is in compliance with the applicable security requirements;	(a) the use of services is in compliance with the applicable security requirements;	(a) the use of services is in compliance with the applicable security requirements;	706
(b) the access rights for GOVSATCOM users are determined and managed;	(b) the access rights for GOVSATCOM users are determined and managed;	(b) the access rights for GOVSATCOM users are determined and managed;	707
(c) user equipment and associated electronic communication connections and information are used and managed in accordance with applicable security requirements;	(c) user equipment and associated electronic communication connections and information are used and managed in accordance with applicable security requirements;	(c) user equipment and associated electronic communication connections and information are used and managed in accordance with applicable security requirements;	708
(d) a central point of contact is established to assist as necessary in the reporting of security risks and threats, in particular the detection of potentially harmful electromagnetic interference affecting the services under this component.	(d) a central point of contact is established to assist as necessary in the reporting of security risks and threats, in particular the detection of potentially harmful electromagnetic interference affecting the services under this component.	(d) a central point of contact is established to assist as necessary in the reporting of security risks and threats, in particular the detection of potentially harmful electromagnetic interference affecting the services under this component.	709

Article 68		Article 68	Article 68	710
Monitoring of supply and		Monitoring of supply and	Monitoring of supply and	711
demand for GOVSATCOM		demand for GOVSATCOM	demand for GOVSATCOM	
The Commission shall monitor		The Commission shall monitor	The Commission shall monitor	712
the evolution of supply and		the evolution of supply,	the evolution of supply, including	
demand for GOVSATCOM		including existing Govsatcom	existing Govsatcom capacities in	
capacities and services		capacities in orbit for pooling	orbit for pooling and sharing, and	
continuously, taking into account		and sharing, and demand for	demand for GOVSATCOM	
new risks and threats, as well as		GOVSATCOM capacities and	capacities and services	
new technology developments, in		services continuously, taking into	continuously, taking into account	
order to optimise the balance		account new risks and threats, as	new risks and threats, as well as	
between that supply and demand		well as new technology	new technology developments, in	
for GOVSATCOM services.		developments, in order to	order to optimise the balance	
		optimise the balance between that	between that supply and demand	
		supply and demand for	for GOVSATCOM services	
		GOVSATCOM services.		
Article 69		Article 69	Article 69 (deletion OK)	713
Review clause GOVSATCOM		Review clause GOVSATCOM	Review clause GOVSATCOM	714
Before the end of 2024, the	AMD 200	Before the end of 2024, the	<u>Text deletion OK</u>	715
Commission shall evaluate the	Before the end of 2024, the	Commission shall evaluate the		
implementation of the	Commission shall, in	implementation of the		
GOVSATCOM component,	cooperation with the responsible	GOVSATCOM component,		
notably as regards the evolution	entities, evaluate the	notably as regards the evolution		
of the user needs in relation to the	implementation of the	of the user needs in relation to the		
satellite communication capacity.	GOVSATCOM component,	satellite communication capacity-		
The evaluation shall in particular	notably as regards the evolution	referred to in Article 68 and a		
examine the need for additional	of the user needs in relation to the	possible pricing policy. The		
space infrastructure. The	satellite communication capacity.	evaluation shall in particular		
evaluation shall be accompanied,	The evaluation shall in particular	examine the need for additional		
if necessary, by an appropriate	examine the need for additional	space and ground infrastructure		
proposal for the development of	space infrastructure. The	and be based on a cost/benefit		
additional space infrastructure	evaluation shall be accompanied,	analysis . The evaluation shall be		

under the GOVSATCOM component.	if necessary, by an appropriate proposal for the development of additional space infrastructure under the GOVSATCOM component.	accompanied, if necessary, by an appropriate proposal for the development of additional space infrastructure under the GOVSATCOM component.		
TITLE IX THE EUROPEAN UNION AGENCY FOR THE SPACE PROGRAMME		TITLE IX THE EUROPEAN UNION AGENCY FOR THE SPACE PROGRAMME	TITLE IX THE EUROPEAN UNION AGENCY FOR THE SPACE PROGRAMME	716
CHAPTER I General provisions relating to the Agency		CHAPTER I General provisions relating to the Agency	CHAPTER I General provisions relating to the Agency	718 719
Article 70		Article 70	V -4-4 6-4 A	720 721
1. The Agency shall be a body of the Union. It shall have legal personality.		1. The Agency shall be a body of the Union. It shall have legal personality.	1. The Agency shall be a body of the Union. It shall have legal personality.	722
2. In each of the Member States, the Agency shall enjoy the most extensive legal capacity accorded to legal persons under the law. It may, in particular, acquire or dispose of movable and immovable property and be a party to legal proceedings.		2. In each of the Member States, the Agency shall enjoy the most extensive legal capacity accorded to legal persons under the law. It may, in particular, acquire or dispose of movable and immovable property and be a party to legal proceedings.	2. In each of the Member States, the Agency shall enjoy the most extensive legal capacity accorded to legal persons under the law. It may, in particular, acquire or dispose of movable and immovable property and be a party to legal proceedings.	723
3. The Agency shall be represented by its Executive Director.		3. The Agency shall be represented by its Executive Director.	3. The Agency shall be represented by its Executive Director.	724

Article 71		Article 71		725
Seat of the Agency		Seat of the Agency <u>and local</u> <u>offices</u>	Seat of the Agency and local offices	726
The seat of the Agency shall be located in Prague (Czech Republic).	AMD 201 The seat of the Agency shall be located in Prague (Czech Republic). In accordance with the needs of the Programme, the Agency's local offices may be established, as laid down in Article 79(2).	1 The seat of the Agency shall be is located in Prague (Czech Republic).	1 The seat of the Agency is located in Prague (Czech Republic).	727
		2. Staff of the Agency may be located in one of the Galileo or EGNOS ground based centres referred to in Commission Implementing Decision (EU) 2016/413 or (EU) 2017/1406, to execute Programme activities provided for in the relevant agreement.	2. Staff of the Agency may be located in one of the Galileo or EGNOS ground based centres referred to in Commission Implementing Decision (EU) 2016/413 or (EU) 2017/1406, to execute Programme activities provided for in the relevant agreement.	727a
		3. Depending on the needs of the Programme, local offices may be established in the Member States in accordance with the procedure laid down in Article 79(2).	3. Depending on the needs of the Programme, local offices may be established in the Member States in accordance with the procedure laid down in Article 79(2).	727b

CHAPTER II	CHAPTER II	CHAPTER II	728
Organisation of the Agency	Organisation of the Agency	Organisation of the Agency	729
Article 72	Article 72	Article 72	730
Administrative and	Administrative and	Administrative and	731
management structure	management structure	management structure	
1. The Agency's administrative	1. The Agency's administrative	1. The Agency's administrative	732
and management structure shall	and management structure shall	and management structure shall	
comprise:	comprise:	comprise:	
(a) the Administrative Board;	(a) the Administrative Board;	(a) the Administrative Board;	733
(b) the Executive Director;	(b) the Executive Director;	(b) the Executive Director;	734
(c) the Security Accreditation	(c) the Security Accreditation	(c) the Security Accreditation	735
Board.	Board.	Board	
2. The Administrative Board, the	2. The Administrative Board, the	2. The Administrative Board, the	736
Executive Director, the Security	Executive Director, the Security	Executive Director, the Security	
Accreditation Board and the	Accreditation Board and the	Accreditation Board shall	
latter's Chairperson shall	latter's Chairperson shall	cooperate to ensure the operation	
cooperate to ensure the operation	cooperate to ensure the operation	of the Agency and coordination	
of the Agency and coordination	of the Agency and coordination	in accordance with the	
in accordance with the	in accordance with the	procedures determined by the	
procedures determined by the	procedures determined by the	Agency's internal rules, such as	
Agency's internal rules, such as	Agency's internal rules, such as	the rules of procedure of the	
the rules of procedure of the	the rules of procedure of the	Administrative Board, the rules	
Administrative Board, the rules	Administrative Board, the rules	of procedure of the Security	
of procedure of the Security	of procedure of the Security	Accreditation Board, the financial	
Accreditation Board, the financial	Accreditation Board, the financial	rules applicable to the Agency,	
rules applicable to the Agency,	rules applicable to the Agency,	the implementing rules for the	
the implementing rules for the	the implementing rules for the	status of staff and the rules	
status of staff and the rules	status of staff and the rules	governing access to documents.	
governing access to documents.	governing access to documents.		

Article 73	Article 73 Article 73		737
Administrative Board	Administrative Board Administra	itive Board	738
1. The Administrative Board shall be composed of one representative from each Member State, and four representatives of the Commission, all with voting rights. The Administrative Board shall also include one member designated by the European Parliament, with no voting rights.	be composed of one representative from each Member State, and four two representatives of the Commission, all with voting rights. The Administrative Board shall also include one member be compose representati State, and the Commission the Commission rights. The Administrative Board shall also include one member	continistrative Board shall and of one we from each Member care representatives of assion, all with voting Administrative Board aclude one member by the European with no voting rights.	739
2. The Chairperson or the Deputy Chairperson of the Security Accreditation Board, a representative of the Council, a representative of the High Representative and a representative of the European Space Agency shall be invited to attend the meetings of the Administrative Board as observers, under the conditions laid down in the rules of procedure of the Administrative Board.	Chairperson of the Security Accreditation Board, a representative of the Council, a representative of the High Representative and a representative of the European Space Agency shall may be invited to attend the meetings of the Administrative Board as observers, under the conditions laid down in the rules of Chairperson Accreditation representati represe	ve of the Council, a ve of the High ive and a ve of the European acy shall be invited to neetings of the tive Board as or matters related hem, under the aid down in the rules e of the	740

3. Each member of the Administrative Board shall have an alternate. The alternate shall represent the member in his/her absence.		3. Each member of the Administrative Board shall have an alternate. The alternate shall represent the member in his/her absence.	3. Each member of the Administrative Board shall have an alternate. The alternate shall represent the member in his/her absence.	741
4. The members and alternate members of the Administrative Board shall be appointed in light of their knowledge in the field of the Agency's core tasks, taking into account relevant managerial, administrative and budgetary skills. The European Parliament, the Commission and the Member States shall endeavour to limit changes of their representatives on the Administrative Board, in order to ensure continuity of the Board's activities. All parties shall aim to achieve a balanced representation between men and women on the Administrative Board.	AMD 202 4. The members and alternate members of the Administrative Board shall be appointed in light of their knowledge in the field of the Agency's tasks, taking into account relevant managerial, administrative and budgetary skills. The European Parliament, the Commission and the Member States shall endeavour to limit changes of their representatives on the Administrative Board, in order to ensure continuity of the Board's activities. All parties shall aim to achieve a balanced representation between men and women on the Administrative Board.	4. The members Each Member State shall nominate a member and an alternate members of the Administrative Board shall be appointed in light taking account of their knowledge in the field of the Agency's eore tasks; taking into account relevant managerial, administrative and budgetary skills. The European Parliament, the Commission and the Member States shall endeavour to limit changes of their representatives on the Administrative Board, in order to ensure continuity of the Board's activities. All parties shall aim to achieve a balanced representation between men and women on the Administrative Board.	4.Each Member State shall nominate a member and an alternate members of the Administrative Board taking account of their knowledge in the field of the Agency's tasks, taking into account relevant managerial, administrative and budgetary skills. The European Parliament, the Commission and the Member States shall endeavour to limit changes of their representatives on the Administrative Board, in order to ensure continuity of the Board's activities. All parties shall aim to achieve a balanced representation between men and women on the Administrative Board.	742
5. The term of office of the members of the Administrative Board and their alternate shall be four years, renewable once.	AMD 203 5. The term of office of the members of the Administrative Board and their <i>alternates</i> shall be four years, renewable.	5. The term of office of the members of the Administrative Board and their alternate shall be four years, renewable once.	5. The term of office of the members of the Administrative Board and their alternates shall be four years, renewable.	743

6. Where appropriate, the participation of representatives of third countries or international organisations and the conditions thereof shall be established in the agreements referred to in Article 98 and shall comply with the rules of procedure of the Administrative Board.	6. Where appropriate, the participation of representatives of third countries or international organisations and the conditions thereof shall be established in the agreements referred to in Article 98 and shall comply with the rules of procedure of the Administrative Board. Those representatives shall have no voting rights.	6. Where appropriate, the participation of representatives of third countries or international organisations and the conditions thereof shall be established in the agreements referred to in Article 98 and shall comply with the rules of procedure of the Administrative Board. Those representatives shall have no voting rights.	744
Article 74	Article 74	Article 74	745
Chairperson of the Administrative Board	Chairperson of the Administrative Board	Chairperson of the Administrative Board	746
1. The Administrative Board shall elect a Chairperson and a Deputy Chairperson from among its members with voting rights. The Deputy Chairperson shall automatically replace the Chairperson if he or she is prevented from attending to his or her duties.	1. The Administrative Board shall elect a Chairperson and a Deputy Chairperson from among its members with having voting rights. The Deputy Chairperson shall automatically replace the Chairperson if he or she is prevented from attending to his or her duties.	1. The Administrative Board shall elect a Chairperson and a Deputy Chairperson from among its members having voting rights. The Deputy Chairperson shall automatically replace the Chairperson if he or she is prevented from attending to his or her duties.	747
2. The term of office of the Chairperson and of the Deputy Chairperson shall be two years, renewable once. It shall be ended in case that person ceases to be a	2. The term of office of the Chairperson and of the Deputy Chairperson shall be two years, renewable once. It shall be ended in case that person ceases to be a	2. The term of office of the Chairperson and of the Deputy Chairperson shall be two years, renewable once. It shall be ended in case that person ceases to be a	748

member of the Administrative Board.		member of the Administrative Board.	member of the Administrative Board.	
3. The Administrative Board shall have the power to dismiss the Chairperson, the Deputy Chairperson or both of them.		3. The Administrative Board shall have the power to dismiss the Chairperson, the Deputy Chairperson or both of them.	3. The Administrative Board shall have the power to dismiss the Chairperson, the Deputy Chairperson or both of them.	749
Article 75		Article 75	Article 75	750
Meetings of the Administrative Board		Meetings of the Administrative Board	Meetings of the Administrative Board	751
1. Meetings of the Administrative Board shall be convened by its Chairperson.		1. Meetings of the Administrative Board shall be convened by its Chairperson.	1. Meetings of the Administrative Board shall be convened by its Chairperson.	752
2. The Executive Director shall take part in the deliberations, unless the Chairperson decides otherwise. He/she shall not have the right to vote.		2. The Executive Director shall take part in the deliberations, unless the Chairperson decides otherwise. He/she shall not have the right to vote.	2. The Executive Director shall take part in the deliberations, unless the Chairperson decides otherwise. He/she shall not have the right to vote.	753
3. The Administrative Board shall hold an ordinary meeting twice a year. In addition, it shall meet on the initiative of its Chairperson or at the request of at least one third of its members.	AMD 204 3. The Administrative Board shall hold an ordinary meeting at least twice a year. In addition, it shall meet on the initiative of its Chairperson or at the request of at least one third of its members.	3. The Administrative Board shall hold an ordinary meeting twice meetings on a regular basis, preferably four times a year. In addition, it shall meet on the initiative of its Chairperson or at the request of at least one third of its members.	3. The Administrative Board shall hold ordinary meetings on a regular basis, at least twice a year. In addition, it shall meet on the initiative of its Chairperson or at the request of at least one third of its members.	754
4. The Administrative Board may invite any person whose opinion may be of interest to attend its		4. The Administrative Board may invite any person whose opinion may be of interest to attend its	4. The Administrative Board may invite any person whose opinion may be of interest to attend its	755

meetings as an observer. The members of the Administrative Board may, subject to its rules of procedure, be assisted by advisers or experts.		meetings as an observer. The members of the Administrative Board may, subject to its rules of procedure, be assisted by advisers or experts.	meetings as an observer. The members of the Administrative Board may, subject to its rules of procedure, be assisted by advisers or experts.	
5. [For any component of the Programme which entails the use of sensitive national infrastructure, only the representatives of Member States which possess such infrastructure and the representative of the Commission may attend the meetings and deliberations of the Administrative Board and take part in voting. Where the Chairperson of the Administrative Board does not represent one of the Member States which possess such infrastructure, he/she shall be replaced by the representatives of a Member States which possesses such infrastructure.]	5. [For any component of the Programme which entails the use of sensitive national infrastructure, the representatives of Member States and the representative of the Commission may attend the meetings and deliberations of the Administrative Board, but only those representatives of Member States which possess such infrastructure are to take part in voting. Where the Chairperson of the Administrative Board, does not represent one of the Member States which possess such infrastructure, he/she shall be replaced by the representatives of a Member States which possesses such infrastructure.]	5. [For any component of the Programme which entails Where discussion concerns the use of sensitive national infrastructure, only the representatives of Member States which possess such infrastructure and the representative of the Commission may attend the meetings and deliberations of the Administrative Board and take part in voting. Where the Chairperson of the Administrative Board does not represent one of the Member States which possess such infrastructure, he/she shall be replaced by the representatives of a Member States which possesses such infrastructure : The rules of procedure of the Administrative Board shall set out the situations in which this procedure may apply.	5. Where discussion concerns the use of sensitive national infrastructure, the representatives of Member States and the representatives of the Commission may attend the meetings and deliberations of the Administrative Board, on a need to know basis, but only those representatives of Member States which possess such infrastructure and a representatives of the Commission are to take part in voting. Where the Chairperson of the Administrative Board does not represent one of the Member States which possess such infrastructure, he/she shall be replaced by the representatives of a Member States which possesses such infrastructure. The rules of procedure of the Administrative Board shall set out the situations in which this procedure may apply.	756

6. The Agency shall provide the	6. The Agency shall provide the	6. The Agency shall provide the	757
secretariat of the Administrative	secretariat of the Administrative	secretariat of the Administrative	
Board.	Board.	Board.	
Article 76	Article 76	Article 76	758
Voting rules of the	Voting rules of the	Voting rules of the	759
Administrative Board	Administrative Board	Administrative Board	
1. Unless this Regulation	1. Unless this Regulation	1. Unless this Regulation	760
provides otherwise, the	provides otherwise, the	provides otherwise, the	
Administrative Board shall take	Administrative Board shall take	Administrative Board shall take	
its decisions by a majority of its	its decisions by a majority of its	its decisions by a majority of its	
voting members.	voting members.	voting members.	
A majority of two thirds of all	A majority of two thirds of all	A majority of two thirds of all	761
voting members shall be required	voting members shall be required	voting members shall be required	
for the election and dismissal of	for the election and dismissal of	for the election and dismissal of	
the Chairperson and Deputy	the Chairperson and Deputy	the Chairperson and Deputy	
Chairperson of the	Chairperson of the	Chairperson of the	
Administrative Board and for the	Administrative Board and for the	Administrative Board and for the	
adoption of the budget and work	adoption of the budget and work	adoption of the budget, work	
programmes.	programmes , work	programmes, approval of	
	programmes, approval of	arrangements referred to in	
	arrangements referred to in	Article 98(2), security rules of the	
	Article 98(2), security rules of	Agency, adoption of the rules of	
	the Agency, adoption of the	procedure, for the establishment	
	rules of procedure and for the	of local offices and for the	
	establishment of local offices.	approval of the hosting	
	For the election and dismissal	agreements referred to in Article	
	of the Chairperson and Deputy	92.	
	Chairperson, where this		
	majority has not been achieved		
	following two meeting of the		
	Administrative board, a simple		
	majority shall be applied.		

2. Each representative of the Member States and of the Commission shall have one vote. In the absence of a member with the right to vote, his or her alternate shall be entitled to exercise his or her right to vote. The Executive Director shall not take part in the voting. Decisions based on points (a), (b), (f), (j) and (k) of Article 77(2) or on Article 77(5), except for matters covered by Chapter II of Title V, shall only be adopted with a favourable vote of the representatives of the Commission.	2. Each representative of the Member States and of the Commission shall have one vote. In the absence of a member with the right to vote, his or her alternate shall be entitled to exercise his or her right to vote. The Executive Director shall not take part in the voting. Decisions based on points (a) , (b), (f), (j) and (k) of Article 77(2) or on Article 77(5), except for matters covered by Chapter II of Title V, or on Article 77(5), shall only be adopted with a favourable vote of the representatives of the Commission.	e vote. er with o vote. a) of natters Title V, nly be
3. The rules of procedure of the Administrative Board shall establish more detailed voting arrangements, in particular the conditions for a member to act on behalf of another member.	3. The rules of procedure of the Administrative Board shall establish more detailed voting arrangements, in particular the conditions for a member to act on behalf of another member <u>as any quorum requirements as appropriate</u> . 3. The rules of procedure of Administrative Board shall establish more detailed voting arrangements, in particular to conditions for a member to behalf of another member as any quorum requirement appropriate.	ting the act on as well

Article 77	Article 77 Article 77	764
Tasks of the Administrative Board	Tasks of the Administrative Board Tasks of the Administrative Board	765
1. The Administrative Board shall ensure that the Agency carries out the work entrusted to it, under the conditions set out in this Regulation, and shall take any necessary decision to this end, without prejudice to the competences entrusted to the Security Accreditation Board for the activities under Chapter II of Title V.	1. The Administrative Board shall ensure that the Agency carries out the work entrusted to it, under the conditions set out in this Regulation, and shall take any necessary decision to this end, without prejudice to the competences entrusted to the Security Accreditation Board for the activities under Chapter II of Title V. 1. The Administrative Board shall ensure that the Agency carries of the work entrusted to it, under the conditions set out in this Regulation, and shall take any necessary decision to this end, without prejudice to the competences entrusted to the Security Accreditation Board for the activities under Chapter II of Title V.	e e
2. The Administrative Board shall also:	2. The Administrative Board shall also: 2. The Administrative Board shall also:	11 767
(a) adopt, by 15 November each year, the Agency's work programme for the following year after incorporating, without any change, the section drafted by the Security Accreditation Board, in accordance with point (b) of Article 80, and after having received the Commission's opinion;	(a) adopt, by 15 November each year, the Agency's work programme for the following year after incorporating, without any change, the section drafted by the Security Accreditation Board, in accordance with point (b) of Article 80, and after having received the Commission's opinion; (a) adopt, by 15 November each year, the Agency's work programme for the following year after incorporating, without any change, the section drafted by the Security Accreditation Board, in accordance with point (b) of Article 80, and after having received the Commission's opinion;	e

	(aa) adopt, by 30 June of the first year of the multiannual financial framework provided for under Article 312 of the Treaty on the Functioning of the European Union, the multiannual work programme of the Agency for the period covered by that multiannual financial framework after incorporating, without any change, the section drafted by the Security Accreditation Board in accordance with point (a) of Article 80 and after having received the Commission's opinion. The European Parliament shall be consulted on the multiannual work programme;	(x) adopt, by 30 June of the first year of the multiannual financial framework provided for under Article 312 of the Treaty on the Functioning of the European Union, the multiannual work programme of the Agency for the period covered by that multiannual financial framework after incorporating, without any change, the section drafted by the Security Accreditation Board in accordance with point(a) of Article 80 and after having received the Commission's opinion. NB: A mirroring provision shall be added in the tasks of the SAB	(x) adopt, by 30 June of the first year of the multiannual financial framework provided for under Article 312 of the Treaty on the Functioning of the European Union, the multiannual work programme of the Agency for the period covered by that multiannual financial framework after incorporating, without any change, the section drafted by the Security Accreditation Board in accordance with point(a) of Article 80 and after having received the Commission's opinion. The European Parliament shall be consulted on the multiannual work programme, provided that the purpose of the consultation is an exchange of views and the outcome is not binding on the Agency.	768a
(b) perform the budgetary functions laid down in Article 84(5), (6), (10) and (11);		(b) perform the budgetary functions laid down in Article 84(5), (6), (10) and (11);	(b) perform the budgetary functions laid down in Article 84(5), (6), (10) and (11);	769
(c) oversee the operation of the Galileo Security Monitoring Centre as referred to in Article 34(3), point (b);		(c) oversee the operation of the Galileo Security Monitoring Centre as referred to in Article 34(3), point (b);	(c) oversee the operation of the Galileo Security Monitoring Centre as referred to in Article 34(3), point (b);	770

(d) adopt arrangements to implement Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents ⁸¹ , in accordance with Article 94;		(d) adopt arrangements to implement Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents ⁸² , in accordance with Article 94;	(d) adopt arrangements to implement Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents ⁸³ , in accordance with Article 94;	771
	AMD 207 (da) adopt transparency rules on industrial contracts and be regularly informed of them by the Executive Director;		EP OK to withdraw	771a
(e) approve the arrangements referred to in Article 98, after consulting the Security Accreditation Board, on the provisions of the arrangements concerning security accreditation;		(e) approve the arrangements referred to in Article 98, after consulting the Security Accreditation Board, on the provisions of the arrangements concerning security accreditation;	(e) approve the arrangements referred to in Article 98, after consulting the Security Accreditation Board, on the provisions of the arrangements concerning security accreditation;	772
(f) adopt the technical procedures necessary to perform its tasks;		(f) adopt the technical procedures necessary to perform its tasks;	(f) adopt the technical procedures necessary to perform its tasks;	773

Q:

Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

(g) adopt the annual report on the activities and prospects of the Agency, having incorporated, without any change, the section drafted by the Security Accreditation Board in accordance with point (c) of Article 80 and forward it, by 1 July, to the European Parliament, the Council, the Commission and the Court of Auditors;	(g) adopt the annual report on the activities and prospects of the Agency, having incorporated, without any change, the section drafted by the Security Accreditation Board in accordance with point (c) of Article 80 and forward it, by 1 July, to the European Parliament, the Council, the Commission and the Court of Auditors; (g) adopt the annual report on the activities and prospects of the Agency, having incorporated, without any change, the section drafted by the Security Accreditation Board in accordance with point (c) of Article 80 and forward it, by 1 July, to the European Parliament, the Council, the Commission and the Court of Auditors;	
(h) ensure adequate follow-up to the findings and recommendations arising from the evaluations and audits referred to in Article 102, as well as those arising from investigations conducted by the European Anti-Fraud Office (OLAF) and all internal or external audit reports, and forward to the budgetary authority all information relevant to the outcome of the evaluation procedures;	(h) ensure adequate follow-up to the findings and recommendations arising from the evaluations and audits referred to in Article 102, as well as those arising from investigations conducted by the European Anti-Fraud Office (OLAF) and all internal or external audit reports, and forward to the budgetary authority all information relevant to the outcome of the evaluation procedures; (h) ensure adequate follow-up to the findings and recommendations arising from the evaluations and audits referred to in Article 102, as we as those arising from investigations conducted by the European Anti-Fraud Office (OLAF) and all internal or external audit reports, and forward to the budgetary authority all information relevant to the outcome of the evaluation procedures;	ell nt

(i) be consulted by the Executive Director on the financial framework partnership agreements referred to in Article 31(2) before they are signed;	(i) be consulted by the Executive Director on the financial framework partnership agreements referred to in Article 31(2) and contribution agreements referred to in Articles 28(2a) and 30(5) before they are signed;	(i) be consulted by the Executive Director on the financial framework partnership agreements referred to in Article 31(2) and contribution agreements referred to in Articles 28(2a) and 30(5) before they are signed;	776
(j) adopt the security rules of the Agency as referred to in Article 96;	(j) adopt the security rules of the Agency as referred to in Article 96;	(j) adopt the security rules of the Agency as referred to in Article 96;	777
(k) approve, on the basis of a proposal from the Executive Director, an anti-fraud strategy;	(k) approve, on the basis of a proposal from the Executive Director, an anti-fraud strategy;	(k) approve, on the basis of a proposal from the Executive Director, an anti-fraud strategy;	778
(l) approve, where necessary and on the basis of proposals from the Executive Director, the organisational structures referred to in point (n) of Article 77(1);	(l) approve, where necessary and on the basis of proposals from the Executive Director, the organisational structures referred to in point (n) of Article 77(1);	(l) approve, where necessary and on the basis of proposals from the Executive Director, the organisational structures referred to in point (n) of Article 77(1);	779
(m) establish an advisory body on security, composed of representatives from the Member States, selected from among recognised experts in the field, and with the appropriate involvement of the Commission	(m) establish an advisory body on security, composed of representatives from the Member States, selected from among recognised experts in the field, and with the appropriate involvement of the Commission	CONS text deletion OK	780

and the High Representative, to provide technical expertise to the Agency on security, in particular with regard to cyber threats;	and the High Representative, to provide technical expertise to the Agency on security, in particular with regard to cyber threats;		
(n) appoint an Accounting Officer, who may be the Commission's Accounting Officer, who shall be subject to the Staff Regulations and the Conditions of Employment of other servants and who shall be totally independent in the performance of his/her duties;	Officer, who may be the Commission's Accounting Officer, who shall be subject to the Staff Regulations and the Conditions of Employment of other servants and who shall be	(n) appoint an Accounting Officer, who may be the Commission's Accounting Officer, who shall be subject to the Staff Regulations and the Conditions of Employment of other servants and who shall be totally independent in the performance of his/her duties;	781
(o) adopt and publish its rules of procedure.	(o) adopt and publish its rules of procedure.	(o) adopt and publish its rules of procedure.	782
3. With regard to the Agency's staff, the Administrative Board shall exercise the powers conferred by the Staff Regulations of Officials of the European Union ('Staff Regulations') on the appointing authority and by the Conditions of Employment of Other Servants on the authority empowered to conclude employment contracts (the 'powers of the appointing authority').	staff, the Administrative Board shall exercise the powers conferred by the Staff Regulations of Officials of the European Union ('Staff Regulations') on the appointing authority and by the Conditions of Employment of Other Servants on the authority empowered to conclude employment contracts (the 'powers of the appointing	3. With regard to the Agency's staff, the Administrative Board shall exercise the powers conferred by the Staff Regulations of Officials of the European Union ('Staff Regulations') on the appointing authority and by the Conditions of Employment of Other Servants on the authority empowered to conclude employment contracts (the 'powers of the appointing authority').	783

The Administrative Board shall adopt, in accordance with the procedure provided for in Article 110 of the Staff Regulations, a decision based on Article 2(1) of the Staff Regulations and on Article 6 of the Conditions of Employment of Other Servants delegating the relevant powers of the appointing authority to the Executive Director and defining the conditions under which this delegation of powers can be suspended. The Executive Director shall report back to the Administrative Board on the exercise of those delegated powers. The Executive Director shall be authorised to subdelegate those powers.

The Administrative Board shall adopt, in accordance with the procedure provided for in Article 110 of the Staff Regulations, a decision based on Article 2(1) of the Staff Regulations and on Article 6 of the Conditions of Employment of Other Servants delegating the relevant powers of the appointing authority to the Executive Director and defining the conditions under which this delegation of powers can be suspended. The Executive Director shall report back to the Administrative Board on the exercise of those delegated powers. The Executive Director shall be authorised to subdelegate those powers.

The Administrative Board shall adopt, in accordance with the procedure provided for in Article 110 of the Staff Regulations, a decision based on Article 2(1) of the Staff Regulations and on Article 6 of the Conditions of Employment of Other Servants delegating the relevant powers of the appointing authority to the Executive Director and defining the conditions under which this delegation of powers can be suspended. The Executive Director shall report back to the Administrative Board on the exercise of those delegated powers. The Executive Director shall be authorised to subdelegate those powers.

784

In application of the second subparagraph of this paragraph, where exceptional circumstances so require, the Administrative Board may, by way of a decision, temporarily suspend the delegation of the powers of the appointing authority to the Executive Director and those subdelegated by the latter and exercise them itself or delegate them to one of its members or to a staff member other than the Executive Director.	In application of the second subparagraph of this paragraph, where exceptional circumstances so require, the Administrative Board may, by way of a decision, temporarily suspend the delegation of the powers of the appointing authority to the Executive Director and those subdelegated by the latter and exercise them itself or delegate them to one of its members or to a staff member other than the Executive Director.	In application of the second subparagraph of this paragraph, where exceptional circumstances so require, the Administrative Board may, by way of a decision, temporarily suspend the delegation of the powers of the appointing authority to the Executive Director and those subdelegated by the latter and exercise them itself or delegate them to one of its members or to a staff member other than the Executive Director.	785
By way of derogation from the second subparagraph, the Administrative Board shall be required to delegate to the Chairperson of the Security Accreditation Board the powers referred to in the first subparagraph with regard to the recruitment, assessment and reclassification of staff involved in the activities covered by Chapter II of Title V and the disciplinary measures to be taken with regard to such staff.	By way of derogation from the second subparagraph, the Administrative Board shall be required to delegate to the Chairperson of the Security Accreditation Board the powers referred to in the first subparagraph with regard to the recruitment, assessment and reclassification of staff involved in the activities covered by Chapter II of Title V and the disciplinary measures to be taken with regard to such staff.	By way of derogation from the second subparagraph, the Administrative Board shall be required to delegate to the Chairperson of the Security Accreditation Board the powers referred to in the first subparagraph with regard to the recruitment, assessment and reclassification of staff involved in the activities covered by Chapter II of Title V and the disciplinary measures to be taken with regard to such staff.	786

The Administrative Board shall	The Administrative Board shall	The Administrative Board shall	787
adopt the implementing measures		adopt the implementing measures	
of the Staff Regulations and the		of the Staff Regulations and the	
	<u>o</u>	_	
Conditions of Employment of Other Servants in accordance		Conditions of Employment of Other Servants in accordance	
with the procedure laid down in		with the procedure laid down in	
Article 110 of the Staff	±	Article 110 of the Staff	
Regulations. It shall first consult	C .	Regulations. It shall first consult	
the Security Accreditation Board	•	the Security Accreditation Board	
and duly take into account its		and duly take into account its	
observations with regard to the		observations with regard to the	
recruitment, assessment and	· · · · · · · · · · · · · · · · · · ·	recruitment, assessment and	
reclassification of the staff		reclassification of the staff	
involved in the activities under		involved in the activities under	
Chapter II of Title V and the	-	Chapter II of Title V and the	
relevant disciplinary measures to	± *	relevant disciplinary measures to	
be taken.	be taken.	be taken.	
It shall also adopt a decision	III SHAII AISO AOODI A DECISION	It shall also adopt a decision	788
laying down rules on the	laying down rules on the	laying down rules on the	
secondment of national experts to	secondment of national experts to	secondment of national experts to	
the Agency. Before adopting that	the Agency Refore adopting that	the Agency. Before adopting that	
decision, the Administrative	decision the Administrative	decision, the Administrative	
Board shall consult the Security	Board shall consult the Security	Board shall consult the Security	
Accreditation Board with regard	Accreditation Board with regard	Accreditation Board with regard	
to the secondment of national	to the secondment of national	to the secondment of national	
experts involved in the security	experts involved in the security	experts involved in the security	
accreditation activities referred to	accreditation activities referred to	accreditation activities referred to	
in Chapter II of Title V and shall	in Chapter II of Title V and shall	in Chapter II of Title V and shall	
duly take account of its	duly take account of its	duly take account of its	
observations.	observations.	observations.	

4. The Administrative Board shall appoint the Executive Director and may extend or end their term of office pursuant to Article 89.	4. The Administrative Board shall appoint the Executive Director and may extend or end their term of office pursuant to Article 89.	4. The Administrative Board shall appoint the Executive Director and may extend or end their term of office pursuant to Article 89.	789
5. The Administrative Board shall exercise disciplinary authority over the Executive Director in relation to his or her performance, in particular as regards security matters falling within the Agency's competence, except in respect of activities undertaken in accordance with Chapter II of Title V.	5. The Administrative Board shall exercise disciplinary authority over the Executive Director in relation to his or her performance, in particular as regards security matters falling within the Agency's competence, except in respect of activities undertaken in accordance with Chapter II of Title V.	5. The Administrative Board shall exercise disciplinary authority over the Executive Director in relation to his or her performance, in particular as regards security matters falling within the Agency's competence, except in respect of activities undertaken in accordance with Chapter II of Title V.	790

Article 78	Article 78 Article 78	}	791
Executive Director	Executive Director Executive	e Director	792
The Agency shall be managed by		gency shall be managed	793
its Executive Director. The	its Executive Director. The by its Exe	ecutive Director. The	
Executive Director shall be	Executive Director shall be Executive	e Director shall be	
accountable to the Administrative	accountable to the Administrative accountable	ole to the Administrative	
Board.	Board, without prejudice to the Board.		
		graph shall be without	
		to the autonomy and	
		ence of the Security	
		tion Board and of the	
		taff under its	
		on in accordance with	
		2 and to the powers	
		the Security	
		tion Board and the	
		on of the Security	
		tion Board in	
		ce with Articles 37 and	
	and shall neither seek nor take 81 respect	tively.	
	instructions from any		
		it prejudice to the	
		f the Commission and	
		nistrative Board, the	
		e Director shall be	
		ent in the performance	
		duties and shall neither	
		ake instructions from	
	• •	nment or from any	
	other body	y.	

Article 79		Article 79		794
Tasks of the Executive Director		Tasks of the Executive Director		795
1. The Executive Director shall		1. The Executive Director shall	1. The Executive Director shall	796
perform the following tasks:		perform the following tasks:	perform the following tasks:	
(a) represent the Agency and sign		(a) represent the Agency and sign	(a) represent the Agency and sign	797
the agreement referred to in		the agreement referred to in	the agreement referred to in	
Article 31(2);		Articles 31(2), 28(2a) and 30(5);	Articles 31(2), 28(2a) and 30(5);	
(b) prepare the work of the		(b) prepare the work of the	(b) prepare the work of the	798
Administrative Board and		Administrative Board and	Administrative Board and	
participate, without having the		participate, without having the	participate, without having the	
right to vote, in the work of the		right to vote, in the work of the	right to vote, in the work of the	
Administrative Board, subject to		Administrative Board, subject to	Administrative Board, subject to	
the second subparagraph of		the second subparagraph of	the second subparagraph of	
Article 76;		Article 76;	Article 76;	
(c) implement the decisions of the		(c) implement the decisions of the	(c) implement the decisions of the	799
Administrative Board;		Administrative Board;	Administrative Board;	
	AMD 208		EP OK to withdraw	799a
	(ca) comply with the			
	transparency rules on industrial			
	contracts and inform the			
	Administrative Board;			
(d) prepare the multiannual and		(d) prepare the multiannual and	(d) prepare the multiannual and	800
annual work programmes of the		annual work programmes of the	annual work programmes of the	
Agency and submit them to the		Agency and submit them to the	Agency and submit them to the	
Administrative Board for		Administrative Board for	Administrative Board for	
approval, with the exception of		approval, with the exception of	approval, with the exception of	
the parts prepared and adopted by		the parts prepared and adopted by	the parts prepared and adopted by	
the Security Accreditation Board		the Security Accreditation Board	the Security Accreditation Board	
in accordance with points (a) and		in accordance with points (a) and	in accordance with points (a) and	
(b) of Article 80;		(b) of Article 80;	(b) of Article 80;	

(e) implement the multiannual and annual work programmes, with the exception of the parts implemented by the Chairperson of the Security Accreditation Board;	(e) implement the multiannual and annual work programmes, with the exception of the parts implemented by the Chairperson of the Security Accreditation Board;	(e) implement the multiannual and annual work programmes, with the exception of the parts implemented by the Chairperson of the Security Accreditation Board;	801
(f) prepare a progress report on the implementation of the annual work programme and, where relevant, of the multiannual work programme for each meeting of the Administrative Board, incorporating, without any change, the section prepared by the Chairperson of the Security Accreditation Board;	(f) prepare a progress report on the implementation of the annual work programme and, where relevant, of the multiannual work programme for each meeting of the Administrative Board, incorporating, without any change, the section prepared by the Chairperson of the Security Accreditation Board;	(f) prepare a progress report on the implementation of the annual work programme and, where relevant, of the multiannual work programme for each meeting of the Administrative Board, incorporating, without any change, the section prepared by the Chairperson of the Security Accreditation Board;	802
(g) prepare the annual report on the activities and prospects of the Agency with the exception of the section prepared and approved by the Security Accreditation Board in accordance with point (c) of Article 80 concerning the activities covered by Title V, and submit it to the Administrative Board for approval;	(g) prepare the annual report on the activities and prospects of the Agency with the exception of the section prepared and approved by the Security Accreditation Board in accordance with point (c) of Article 80 concerning the activities covered by Title V, and submit it to the Administrative Board for approval;	(g) prepare the annual report on the activities and prospects of the Agency with the exception of the section prepared and approved by the Security Accreditation Board in accordance with point (c) of Article 80 concerning the activities covered by Title V, and submit it to the Administrative Board for approval;	803

(h) handle the day-to-day administration of the Agency and take all necessary measures, including the adoption of internal administrative instructions and the publication of notices, to ensure the functioning of the Agency in accordance with this Regulation;	(h) handle the day-to-day administration of the Agency and take all necessary measures, including the adoption of internal administrative instructions and the publication of notices, to ensure the functioning of the Agency in accordance with this Regulation;	(h) handle the day-to-day administration of the Agency and take all necessary measures, including the adoption of internal administrative instructions and the publication of notices, to ensure the functioning of the Agency in accordance with this Regulation;	804
(i) draw up a draft statement of estimates of revenue and expenditure for the Agency in accordance with Article 84 and implement the budget in accordance with Article 85;	(i) draw up a draft statement of estimates of revenue and expenditure for the Agency in accordance with Article 84 and implement the budget in accordance with Article 85;	(i) draw up a draft statement of estimates of revenue and expenditure for the Agency in accordance with Article 84 and implement the budget in accordance with Article 85;	805
(j) ensure that the Agency, as the operator of the Galileo Security Monitoring Centre is able to respond to instructions provided under Decision 2014/496/CFSP and to fulfil its role as referred to in Article 6 of Decision No 1104/2011/EU;	(j) ensure that the Agency, as the operator of the Galileo Security Monitoring Centre is able to respond to instructions provided under Decision 2014/496/CFSP and to fulfil its role as referred to in Article 6 of Decision No 1104/2011/EU;	(j) ensure that the Agency, as the operator of the Galileo Security Monitoring Centre is able to respond to instructions provided under Decision 2014/496/CFSP and to fulfil its role as referred to in Article 6 of Decision No 1104/2011/EU;	806
(k) ensure the circulation of all relevant information, in particular as regards security, within the agency structure referred to in Article 72(1);	(k) ensure the circulation of all relevant information, in particular as regards security, within the agency structure referred to in Article 72(1);	(k) ensure the circulation of all relevant information, in particular as regards security, within the agency structure referred to in Article 72(1);	807

(1) determine, in close	(l) determine, in close	(l) determine, in close	808
cooperation with the Chairperson	cooperation with the Chairperson	cooperation with the Chairperson	
of the Security Accreditation	of the Security Accreditation	of the Security Accreditation	
Board for matters relating to	Board for matters relating to	Board for matters relating to	
security accreditation activities	security accreditation activities	security accreditation activities	
covered by Chapter II of Title V,	covered by Chapter II of Title V,	covered by Chapter II of Title V,	
the organisational structures of	the organisational structures of	the organisational structures of	
the Agency and submit them to	the Agency and submit them to	the Agency and submit them to	
the Administrative Board for	the Administrative Board for	the Administrative Board for	
approval. Those structures shall	approval. Those structures shall	approval. Those structures shall	
reflect the specific characteristics	reflect the specific characteristics of the various components of the	reflect the specific characteristics	
of the various components of the Programme;	Programme;	of the various components of the Programme;	
Flogramme,	Frogramme,		
(m) exercise, with regard to the	(m) exercise, with regard to the	(m) exercise, with regard to the	809
Agency's staff, the powers	Agency's staff, the powers	Agency's staff, the powers	
referred to in the first	referred to in the first	referred to in the first	
subparagraph of Article 37(3), to	subparagraph of Article 37 77(3),	subparagraph of Article 37(3), to the extent that those powers have	
the extent that those powers have	to the extent that those powers	been delegated to him or her in	
been delegated to him or her in	have been delegated to him or her	accordance with the second	
accordance with the second	in accordance with the second	subparagraph thereof;	
subparagraph thereof;	subparagraph thereof;		
(n) ensure that secretarial services	(n) ensure that secretarial services	(n) ensure that secretarial services	810
and all the resources necessary	and all the resources necessary	and all the resources necessary	
for their proper functioning are	for their proper functioning are	for their proper functioning are	
provided to the Security	provided to the Security	provided to the Security	
Accreditation Board, the bodies	Accreditation Board, the bodies	Accreditation Board, the bodies	
referred to in Article 37(3) and	referred to in Article 37 82(3) and	referred to in Article 37(3) and	
the Chairperson of the Security	the Chairperson of the Security	the Chairperson of the Security Accreditation Board;	
Accreditation Board;	Accreditation Board;	Accreditation board,	

(o) prepare an action plan for ensuring the follow-up of the findings and recommendations of the evaluations referred to in Article 102, with the exception of the section of the action plan concerning the activities covered by Chapter II of Title V, and submit, after having incorporated, without any change, the section drafted by the Security Accreditation Board, a twice-yearly progress report to the Commission, which shall also be submitted to the Administrative Board for information;	(o) prepare an action plan for ensuring the follow-up of the findings and recommendations of the evaluations referred to in Article 102, with the exception of the section of the action plan concerning the activities covered by Chapter II of Title V, and submit, after having incorporated, without any change, the section drafted by the Security Accreditation Board, a twice-yearly progress report to the Commission, which shall also be submitted to the Administrative Board for information;	(o) prepare an action plan for ensuring the follow-up of the findings and recommendations of the evaluations referred to in Article 102, with the exception of the section of the action plan concerning the activities covered by Chapter II of Title V, and submit, after having incorporated, without any change, the section drafted by the Security Accreditation Board, a twice-yearly progress report to the Commission, which shall also be submitted to the Administrative Board for information;	811
(p) take the following measures to protect the financial interests of the Union:	(p) take the following measures to protect the financial interests of the Union:	(p) take the following measures to protect the financial interests of the Union:	812
i) preventive measures against fraud, corruption or any other illegal activity and making use of effective supervisory measures;	i) preventive measures against fraud, corruption or any other illegal activity and making use of effective supervisory measures;	i) preventive measures against fraud, corruption or any other illegal activity and making use of effective supervisory measures;	813
ii) recovering sums unduly paid where irregularities are detected and, where appropriate, applying effective, proportionate and dissuasive administrative and financial penalties;	ii) recovering sums unduly paid where irregularities are detected and, where appropriate, applying effective, proportionate and dissuasive administrative and financial penalties;	ii) recovering sums unduly paid where irregularities are detected and, where appropriate, applying effective, proportionate and dissuasive administrative and financial penalties;	814

(q) draw up an anti-fraud strategy for the Agency that is proportionate to the risk of fraud, having regard to a cost-benefit analysis of the measures to be implemented and taking into account findings and recommendations arising from OLAF investigations and submit it to the Administrative Board for approval;		(q) draw up an anti-fraud strategy for the Agency that is proportionate to the risk of fraud, having regard to a cost-benefit analysis of the measures to be implemented and taking into account findings and recommendations arising from OLAF investigations and submit it to the Administrative Board for approval;	(q) draw up an anti-fraud strategy for the Agency that is proportionate to the risk of fraud, having regard to a cost-benefit analysis of the measures to be implemented and taking into account findings and recommendations arising from OLAF investigations and submit it to the Administrative Board for approval;	815
(r) provide reports to the European Parliament on the performance of his/her duties when invited to do so. The Council may invite the Executive Director to report on the performance of his/her duties.		(r) provide reports to the European Parliament on the performance of his/her duties when invited to do so. The Council may invite the Executive Director to report on the performance of his/her duties.	(r) provide reports to the European Parliament on the performance of his/her duties when invited to do so. The Council may invite the Executive Director to report on the performance of his/her duties.	816
2. The Executive Director shall decide whether it is necessary to locate one or more staff in one or more Member States for the purpose of carrying out the Agency's tasks in an efficient and effective manner. Before deciding to establish a local office the Executive Directive shall obtain the prior approval of	AMD 209 2. The Executive Director shall decide whether it is necessary to locate one or more staff in one or more Member States for the purpose of carrying out the Agency's tasks in an efficient and effective manner. Before deciding to establish a	2. The Executive Director shall decide whether it is necessary to locate one or more staff in one or more Member States for the purpose of carrying out the Agency's tasks in an efficient and effective manner. Before deciding to establish a local office the Executive Directive shall obtain the prior approval of	2. The Executive Director shall decide whether it is necessary to locate one or more staff in one or more Member States for the purpose of carrying out the Agency's tasks in an efficient and effective manner. Before deciding to establish a local office the Executive Directive shall obtain the prior approval of	817

the Commission, the Administrative Board and the Member State(s) concerned. The decision shall specify the scope of the activities to be carried out at the local office in a manner that avoids unnecessary costs and duplication of administrative functions of the Agency. A headquarters agreement with the Member State(s) concerned may be required.	local office the Executive Directive shall obtain the prior approval of the Administrative Board and the Member State(s) concerned. The decision shall specify the scope of the activities to be carried out at the local office in a manner that avoids unnecessary costs and duplication of administrative functions of the Agency. A headquarters agreement with the Member State(s) concerned may be required. Where possible, the impact in terms of staff allocation and budget shall be incorporated in the annual work programme, and in any event this project shall be notified to the budgetary authority in accordance with Article 84(11).	the Commission, the Administrative Board and the Member State(s) concerned. The decision shall specify the scope of the activities to be carried out at the local office in a manner that avoids unnecessary costs and duplication of administrative functions of the Agency. A headquarters hosting agreement with the Member State(s) concerned may be required.	the Commission, the Administrative Board and the Member State(s) concerned. The decision shall specify the scope of the activities to be carried out at the local office in a manner that avoids unnecessary costs and duplication of administrative functions of the Agency. A hosting agreement with the Member State(s) concerned may be required. Where possible, the impact in terms of staff allocation and budget shall be incorporated in the draft single programming document referred to in Article 84(6).	
Article 80		Article 80	Article 80	818
Management tasks of the Security Accreditation Board		Management tasks of the Security Accreditation Board	Management tasks of the Security Accreditation Board	819
Apart from the tasks referred to in Article 37, the Security Accreditation Board shall, as part of the management of the Agency:		Apart from the tasks referred to in Article 37, the Security Accreditation Board shall, as part of the management of the Agency:	Apart from the tasks referred to in Article 37, the Security Accreditation Board shall, as part of the management of the Agency:	820

(a) prepare and approve that part of the multiannual work programme concerning the operational activities covered by Chapter II of Title V and the financial and human resources needed to accomplish those activities, and submit it to the Administrative Board in good time for it to be incorporated into the multiannual work	(a) prepare and approve that part of the multiannual work programme concerning the operational activities covered by Chapter II of Title V and the financial and human resources needed to accomplish those activities, and submit it to the Administrative Board in good time for it to be incorporated into the multiannual work (a) prepare and approve that part of the multiannual work (a) prepare and approve that part of the multiannual work (a) prepare and approve that part of the multiannual work	821
(b) prepare and approve that part of the annual work programme	programme; programme; (b) prepare and approve that part of the annual work programme of the annual work programme	822
concerning the operational activities covered by Chapter II of Title V and the financial and	concerning the operational activities covered by Chapter II of Title V and the financial and of Title V and the financial and	
human resources needed to accomplish those activities, and submit it to the Administrative	human resources needed to accomplish those activities, and submit it to the Administrative Beard in good time for it to be	
Board in good time for it to be incorporated into the annual work programme;	Board in good time for it to be incorporated into the annual work programme; Board in good time for it to be incorporated into the annual work programme;	

(c) prepare and approve that part (c) prepare and approve that part (d) prepare and approve that part (e) prepare and approve that part (e) prepare and approve that part (e) prepare and approve that part (f) prepare and (f)	823
of the annual report concerning of the annual report concerning of the annual report concerning	
the Agency's activities and the Agency's activities and the Agency's activities and	
prospects covered by Chapter II prospects covered by Chapter II prospects covered by Chapter II	
of Title V and the financial and of Title V and the financial and	
human resources needed to human resources needed to human resources needed to	
accomplish those activities and accomplish those activities and accomplish those activities and	
prospects, and submit it to the prospects, and submit it to the prospects, and submit it to the	
Administrative Board in good Administrative Board in good Administrative Board in good	
time for it to be incorporated into time for it to be incorporated into	
the annual report. the annual report. the annual report.	
Article 81 Article 81 Article 81	824
The Chairperson of the The Chairperson of the The Chairperson of the	825
Security Accreditation Board Security Accreditation Board Security Accreditation Board	
1. The Security Accreditation 1. The Security Accreditation 1. The Security Accreditation	826
Board shall elect a Chairperson Board shall elect a Chairperson Board shall elect a Chairperson	
and a Deputy Chairperson from and a Deputy Chairperson from and a Deputy Chairperson from	
among its members by a two- among its members by a two- among its members by a two-	
thirds majority of all members thirds majority of all members thirds majority of all members	
with the right to vote. Where a with the right to vote. Where a	
two-thirds majority has not been two-thirds majority has not been two-thirds majority has not been	
achieved following two meetings achieved following two meetings achieved following two meetings	
of the Security Accreditation of the Security Accreditation of the Security Accreditation	
Board, a simple majority shall be Board, a simple majority shall be	
required. required. required.	
2. The Deputy Chairperson shall 2. The Deputy Chairperson shall 2. The Deputy Chairperson shall	827
automatically replace the automatically replace the automatically replace the	
Chairperson if the latter is unable Chairperson if the latter is una	
to attend to his or her duties. to attend to his or her duties. to attend to his or her duties.	

3. The Security Accreditation Board shall have the power to dismiss the Chairperson, the Deputy Chairperson or both of them. It shall adopt the decision to dismiss by a two-thirds majority.	3. The Security Ad Board shall have to dismiss the Chairp Deputy Chairperso them. It shall adop to dismiss by a two majority.	Board shall have the power to dismiss the Chairperson, the Deputy Chairperson or both of them. It shall adopt the decision to dismiss by a two thirds	328
4. The term of office of the Chairperson and of the Deputy Chairperson of the Security Accreditation Board shall be two years, renewable once. Each term of office shall end when that person ceases to be a member of the Security Accreditation Board.	4. The term of offich Chairperson and of Chairperson of the Accreditation Boat years, renewable of office shall end person ceases to be the Security Accreditation and the Security Accreditation of the Security Accreditation and the Security Accredi	Chairperson and of the Deputy Chairperson of the Security Accreditation Board shall be two years, renewable once. Each term of office shall end when that person ceases to be a member of the Security Accreditation Board	329
Article 82	Article 82	Article 82 83	330
Organisational aspects of the Security Accreditation Board	Organisational as Security Accredit	F	331
1. The Security Accreditation Board shall have access to all the human and material resources required to perform its tasks independently. It shall have access to any information useful for the performance of its tasks in the possession of the other bodies of the Agency, without prejudice to the principles of autonomy and independence referred to in Article 36(i).	1. The Security Ad Board shall have a human and materia required to perform independently. It is access to any information for the performance the possession of the Agency, with to the principles of independence reference and the possession of the Agency.	1. The Security Accreditation Board shall have access to all the human and material resources required to perform its tasks independently. It shall have access to any information useful for the performance of its tasks in the other bodies thout prejudice f autonomy and	332

2. The Security Accreditation Board and the Agency staff under its supervision shall perform their work in a manner ensuring autonomy and independence in relation to the other activities of the Agency, in particular operational activities associated with the exploitation of the systems, in accordance with the objectives of the Programme's various components. No member of the Agency's staff under the supervision of the Security Accreditation Board may at the same time be assigned to other tasks within the Agency.	2. The Security Accreditation Board and the Agency staff under its supervision shall perform their work in a manner ensuring autonomy and independence in relation to the other activities of the Agency, in particular operational activities associated with the exploitation of the systems, in accordance with the objectives of the Programme's various components. No member of the Agency's staff under the supervision of the Security Accreditation Board may at the same time be assigned to other tasks within the Agency. 2. The Security Accreditat Board and the Agency staff its supervision shall perform work in a manner ensuring autonomy and independent relation to the other activities associated with the exploitation of the Systems, in accordance with objectives of the Programm various components. No member of the Agency's staff under supervision of the Security Accreditation Board may at same time be assigned to other tasks within the Agency.	ff under rm their g ace in ties of ciated e th the me's nember er the y at the
To that end, an effective organisational segregation shall be established within the Agency between the staff involved in activities covered by Chapter II of Title V and the other staff of the Agency. The Security Accreditation Board shall immediately inform the Executive Director, the Administrative Board and the Commission of any circumstances that could hamper its autonomy or independence. In	To that end, an effective organisational segregation shall be established within the Agency between the staff involved in activities covered by Chapter II of Title V and the other staff of the Agency. The Security Accreditation Board shall immediately inform the Executive Director, the Administrative Board and the Commission of any circumstances that could hamper its autonomy or independence. In	Agency I in oter II aff of the

the event that no remedy is found within the Agency, the Commission shall examine the situation, in consultation with the relevant parties. On the basis of the outcome of that examination, the Commission shall take appropriate mitigation measures to be implemented by the Agency, and shall inform the European Parliament and the Council thereof.	the event that no remedy is found within the Agency, the Commission shall examine the situation, in consultation with the relevant parties. On the basis of the outcome of that examination, the Commission shall take appropriate mitigation measures to be implemented by the Agency, and shall inform the European Parliament and the Council thereof.	the event that no remedy is found within the Agency, the Commission shall examine the situation, in consultation with the relevant parties. On the basis of the outcome of that examination, the Commission shall take appropriate mitigation measures to be implemented by the Agency, and shall inform the European Parliament and the Council thereof.	
3. The Security Accreditation Board shall set up special subordinate bodies, acting on its instructions, to deal with specific issues. In particular, while ensuring necessary continuity of work, it shall set up a panel to conduct security analysis reviews and tests and produce the relevant risk reports in order to assist it in preparing its decisions. The Security Accreditation Board may set up and disband expert groups to contribute to the work of the panel.	3. The Security Accreditation Board shall set up special subordinate bodies, acting on its instructions, to deal with specific issues. In particular, while ensuring necessary continuity of work, it shall set up a panel to conduct security analysis reviews and tests and produce the relevant risk reports in order to assist it in preparing its decisions. The Security Accreditation Board may set up and disband expert groups to contribute to the work of the panel.	3. The Security Accreditation Board shall set up special subordinate bodies, acting on its instructions, to deal with specific issues. In particular, while ensuring necessary continuity of work, it shall set up a panel to conduct security analysis reviews and tests and produce the relevant risk reports in order to assist it in preparing its decisions. The Security Accreditation Board may set up and disband expert groups to contribute to the work of the panel.	835

Article 83	Article 83	Article 83	836
Tasks of the Chairperson of the	Tasks of the Chairperson of the	Tasks of the Chairperson of the	837
Security Accreditation Board	Security Accreditation Board	Security Accreditation Board	
1. The Chairperson of the Security Accreditation Board shall ensure that the Board carries out its security accreditation activities totally independently and shall perform the following tasks:	1. The Chairperson of the Security Accreditation Board shall ensure that the Board carries out its security accreditation activities totally independently and shall perform the following tasks:	1. The Chairperson of the Security Accreditation Board shall ensure that the Board carries out its security accreditation activities totally independently and shall perform the following tasks:	838
(a) manage security accreditation activities under the supervision of the Security Accreditation Board;	(a) manage security accreditation activities under the supervision of the Security Accreditation Board;	(a) manage security accreditation activities under the supervision of the Security Accreditation Board;	839
(b) implement the part of the Agency's multiannual and annual work programmes covered by Chapter II of Title V under the supervision of the Security Accreditation Board;	(b) implement the part of the Agency's multiannual and annual work programmes covered by Chapter II of Title V under the supervision of the Security Accreditation Board;	(b) implement the part of the Agency's multiannual and annual work programmes covered by Chapter II of Title V under the supervision of the Security Accreditation Board;	840
(c) cooperate with the Executive Director to help to draw up the draft establishment plan referred to in Article 84(4) and the organisational structures of the Agency;	(c) cooperate with the Executive Director to help to draw up the draft establishment plan referred to in Article 84(4) and the organisational structures of the Agency;	(c) cooperate with the Executive Director to help to draw up the draft establishment plan referred to in Article 84(4) and the organisational structures of the Agency;	841

(d) prepare the section of the progress report concerning the operational activities covered by Chapter II of Title V, and submit it to the Security Accreditation Board and the Executive Director in good time for it to be incorporated into the progress report;	(d) prepare the section of the progress report concerning the operational activities covered by Chapter II of Title V, and submit it to the Security Accreditation Board and the Executive Director in good time for it to be incorporated into the progress report;	(d) prepare the section of the progress report concerning the operational activities covered by Chapter II of Title V, and submit it to the Security Accreditation Board and the Executive Director in good time for it to be incorporated into the progress report;	842
(e) prepare the section of the annual report and of the action plan, concerning the operational activities covered by Chapter II of Title V, and submit it to the Executive Director in good time;	(e) prepare the section of the annual report and of the action plan, concerning the operational activities covered by Chapter II of Title V, and submit it to the Executive Director in good time;	(e) prepare the section of the annual report and of the action plan, concerning the operational activities covered by Chapter II of Title V, and submit it to the Executive Director in good time;	843
(f) represent the Agency for the activities and decisions covered by Chapter II of Title V;	(f) represent the Agency for the activities and decisions covered by Chapter II of Title V;	(f) represent the Agency for the activities and decisions covered by Chapter II of Title V;	844
(g) exercise, with regard to the Agency's staff involved in the activities covered by Chapter II of Title V, the powers referred to in the first subparagraph of Article 77(3), delegated to him or her in accordance with the fourth subparagraph of Article 77(3).	(g) exercise, with regard to the Agency's staff involved in the activities covered by Chapter II of Title V, the powers referred to in the first subparagraph of Article 77(3), delegated to him or her in accordance with the fourth subparagraph of Article 77(3).	(g) exercise, with regard to the Agency's staff involved in the activities covered by Chapter II of Title V, the powers referred to in the first subparagraph of Article 77(3), delegated to him or her in accordance with the fourth subparagraph of Article 77(3).	845

2. For activities covered by Chapter II of Title V, the European Parliament and the Council may call upon the Chairperson of the Security Accreditation Board for an exchange of views before those institutions on the work and prospects of the Agency, including with regard to the multiannual and annual work programmes.	Council may of Chairperson of Accreditation exchange of virinstitutions on prospects of the including with multiannual arprogrammes.	Fitle V, the iament and the sall upon the f the Security Board for an iews before those the work and he Agency, regard to the had annual work	2. For activities covered by Chapter II of Title V, the European Parliament and the Council may call upon the Chairperson of the Security Accreditation Board for an exchange of views before those institutions on the work and prospects of the Agency, including with regard to the multiannual and annual work programmes.	846
CHAPTER III	CHAPTER III		CHAPTER III	847
Financial provisions relating to	_	visions relating to	Financial provisions relating to	848
the Agency	the Agency		the Agency	
Article 84	Article 84		Article 84	849
The Agency's budget	The Agency's	budget	The Agency's budget	850
1. Without prejudice to other resources and dues, in particular those referred to in Article 36, the revenue of the Agency shall include a Union contribution entered in Union budget in order to ensure a balance between revenue and expenditure.	resources and those referred revenue of the include a Unic entered in Uni to ensure a bal revenue and ex	on contribution on budget in order ance between expenditure. The	1. Without prejudice to other resources and dues, the revenue of the Agency shall include a Union contribution entered in Union budget in order to ensure a balance between revenue and expenditure. The Agency may receive ad hoc grants from the Union budget.	851

2. The expenditure of the Agency shall cover staff, administrative and infrastructure expenditure, operating costs and expenditure associated with the functioning of the Security Accreditation Board, including the bodies referred to in Article 37(3), and the contracts and agreements concluded by the Agency in order to accomplish the tasks entrusted to it.	2. The expenditure of the Agency shall cover staff, administrative and infrastructure expenditure, operating costs and expenditure associated with the functioning of the Security Accreditation Board, including the bodies referred to in Article 37(3) and Article 82(3), and the contracts and agreements concluded by the Agency in order to accomplish the tasks entrusted to it.	2. The expenditure of the Agency shall cover staff, administrative and infrastructure expenditure, operating costs and expenditure associated with the functioning of the Security Accreditation Board, including the bodies referred to in Article 37(3) and Article 82(3), and the contracts and agreements concluded by the Agency in order to accomplish the tasks entrusted to it.	852
3. Revenue and expenditure shall be in balance.	3. Revenue and expenditure shall be in balance.	3. Revenue and expenditure shall be in balance.	853
4. The Executive Director shall, in close collaboration with the Chairperson of the Security Accreditation Board for activities covered by Chapter II of Title V, draw up a draft statement of estimates of revenue and expenditure for the Agency for the next financial year, making clear the distinction between those elements of the draft statement of estimates, which relate to security accreditation activities, and those relating to the Agency's other activities. The Chairperson of the Security Accreditation Board may write a	4. The Executive Director shall, in close collaboration with the Chairperson of the Security Accreditation Board for activities covered by Chapter II of Title V, draw up a draft statement of estimates of revenue and expenditure for the Agency for the next financial year, making clear the distinction between those elements of the draft statement of estimates, which relate to security accreditation activities, and those relating to the Agency's other activities. The Chairperson of the Security Accreditation Board may write a	4. The Executive Director shall, in close collaboration with the Chairperson of the Security Accreditation Board for activities covered by Chapter II of Title V, draw up a draft statement of estimates of revenue and expenditure for the Agency for the next financial year, making clear the distinction between those elements of the draft statement of estimates, which relate to security accreditation activities, and those relating to the Agency's other activities. The Chairperson of the Security Accreditation Board may write a	854

statement on that draft, and the Executive Director shall forward both the draft statement of estimates and the statement to the Administrative Board and the Security Accreditation Board, together with a draft establishment plan. 5. Each year, the Administrative Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of extimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming document including inter alia a statement on that draft, and the Executive Director shall forward both the draft statement of the Agency for the faft statement of the Administrative Board and the Security Accreditation Board and the Security Accreditation Board, together with a draft establishment plan. 5. Each year, the Administrative Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming document including inter alia a statement on that draft, and the Executive Director shall forward both the draft statement of bestimates and the statement to the Administrative Board and the Security Accreditation Board and the Security Accreditation Board and the Security Accreditation Board and the Security Administrative Bacutive Director shall forward both the draft statement to the Administrative Board and the Security Administrative Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of extimat
both the draft statement of estimates and the statement to the Administrative Board and the Security Accreditation Board, together with a draft establishment plan. 5. Each year, the Administrative Board and the Security Accreditation Board, together with a draft establishment plan. 5. Each year, the Administrative Board so the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board and the Security Administrative Board shall, by 31 January, forward a draft single programming both the draft statement of estimates and the statement of estimates and the statement to the Administrative Board and the Security Administrative Board and the Security Administrative Board shall, by 31 January, forward a draft single programming both the draft statement of estimates and the statement to the Administrative Board and the Security Administrative Board and the Security Administrative Board and the Security Administrative Board shall, by 31 January, forward a draft single programming
estimates and the statement to the Administrative Board and the Security Accreditation Board, together with a draft establishment plan. 5. Each year, the Administrative Board plan. 5. Each year, the Administrative Board on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board and the Security Accreditation Board, together with a draft establishment plan. 5. Each year, the Administrative Board and the Security Accreditation Board, together with a draft establishment plan. 5. Each year, the Administrative Board and the Security Accreditation Board and the Security Accreditation Board, together with a draft establishment plan. 5. Each year, the Administrative Board and the Security Accreditation Board for activities cooperation with the Security Accreditation Board for activities cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, sha
Administrative Board and the Security Accreditation Board, together with a draft establishment plan. 5. Each year, the Administrative Board and the Sacurity Accreditation Board, together with a draft establishment plan. 5. Each year, the Administrative Board and the Security Accreditation Board, together with a draft establishment plan. 5. Each year, the Administrative Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board and the Security Accreditation Board, together with a draft establishment plan. 5. Each year, the Administrative Board on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming
Security Accreditation Board, together with a draft establishment plan. 5. Each year, the Administrative Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming Security Accreditation Board, together with a draft establishment plan. 5. Each year, the Administrative Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming
together with a draft establishment plan. 5. Each year, the Administrative Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming together with a draft establishment plan. 5. Each year, the Administrative Board stablishment plan. 5. Each year, the Administrative Board together with a draft establishment plan. 5. Each year, the Administrative Board together with a draft establishment plan. 5. Each year, the Administrative Board together with a draft establishment plan. 5. Each year, the Administrative Board together with a draft establishment plan. 5. Each year, the Administrative Board together with a draft establishment plan. 5. Each year, the Administrative Board together with a draft establishment plan. 5. Each year, the Administrative Board together with a draft establishment plan. 5. Each year, the Administrative Board together with a draft establishment plan. 5. Each year, the Administrative Board together with a draft single programming destablishment plan. 5. Each year, the Administrative Board together with a draft statement of establishment plan. 5. Each year, the Administrative Board together with a draft statement plan. 5. Each year, the Administrative Board statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming
establishment plan. 5. Each year, the Administrative Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming establishment plan. 5. Each year, the Administrative Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming 855 Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming
5. Each year, the Administrative Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 5. Each year, the Administrative Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming 5. Each year, the Administrative Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming
Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming Board, based on the draft statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming
statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming statement of estimates of revenue and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming
and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. and expenditure and in close cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming draft single programming
cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming cooperation with the Security Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming
Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming Accreditation Board for activities covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming
covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and extended expenditure for the Agency for the next financial year. covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming covered by Chapter II of Title V, shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming
shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming draft single programming shall draw up the statement of estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming
estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming estimates of revenue and expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming
expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming expenditure for the Agency for the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming
the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming the next financial year. 6. The Administrative Board shall, by 31 January, forward a draft single programming
6. The Administrative Board shall, by 31 January, forward a draft single programming draft single programming draft single programming 6. The Administrative Board shall, by 31 January, forward a draft single programming draft single programming draft single programming
shall, by 31 January, forward a draft single programming shall, by 31 January, forward a draft single programming draft single programming
draft single programming draft single programming draft single programming
document including inter alia a document including inter alia a document including inter alia a
statement of estimates, a draft statement of estimates, a draft statement of estimates, a draft
establishment plan, a provisional establishment plan, a provisional establishment plan, a provisional
annual work programme, to the annual work programme, to the annual work programme, to the
Commission and to the third Commission and to the third Commission and to the third
countries or international countries or international countries or international
organisations with which the organisations with which the
Agency has entered into Agency has entered into Agency has entered into
arrangements in accordance with arrangements in accordance with arrangements in accordance with
Article 98. Article 98. Article 98.

7. The Commission shall forward	7. The Commission shall forward	7. The Commission shall forward	857
the statement of estimates of	the statement of estimates of	the statement of estimates of	
revenue and expenditure to the	revenue and expenditure to the	revenue and expenditure to the	
European Parliament and to the	European Parliament and to the	European Parliament and to the	
Council (the 'budgetary	Council (the 'budgetary	Council (the 'budgetary	
authority') together with the draft	authority') together with the draft	authority') together with the draft	
general budget of the European	general budget of the European	general budget of the European	
Union.	Union.	Union.	
8. On the basis of the statement	8. On the basis of the statement	8. On the basis of the statement	858
of estimates, the Commission	of estimates, the Commission	of estimates, the Commission	
shall enter in the draft general	shall enter in the draft general	shall enter in the draft general	
budget of the European Union the	budget of the European Union the	budget of the European Union the	
estimates it deems necessary for	estimates it deems necessary for	estimates it deems necessary for	
the establishment plan and the	the establishment plan and the	the establishment plan and the	
amount of the subsidy to be	amount of the subsidy to be	amount of the subsidy to be	
charged to the general budget,	charged to the general budget,	charged to the general budget,	
which it shall place before the	which it shall place before the	which it shall place before the	
budgetary authority in accordance	budgetary authority in accordance	budgetary authority in accordance	
with Article 314 of the Treaty on	with Article 314 of the Treaty on	with Article 314 of the Treaty on	
the Functioning of the European	the Functioning of the European	the Functioning of the European	
Union.	Union.	Union.	
9. The budgetary authority shall	9. The budgetary authority shall	9. The budgetary authority shall	859
authorise the appropriations for	authorise the appropriations for	authorise the appropriations for	
the contribution to the Agency	the contribution to the Agency	the contribution to the Agency	
and shall adopt the establishment	and shall adopt the establishment	and shall adopt the establishment	
plan for the Agency.	plan for the Agency.	plan for the Agency.	

10. The budget shall be adopted by the Administrative Board. It shall become final following final adoption of the general budget of the European Union. Where necessary, it shall be adjusted accordingly.	10. The budget shall be adopted by the Administrative Board. It shall become final following final adoption of the general budget of the European Union. Where necessary, it shall be adjusted accordingly. 10. The budget shall be adopted by the Administrative Board. It shall become final following final adoption of the general budget of the European Union. Where necessary, it shall be adjusted accordingly.	860
11. The Administrative Board shall, as soon as possible, notify the budgetary authority of its intention to implement any project which will have significant financial implications for the funding of the budget, in particular any projects relating to property such as the rental or purchase of buildings. It shall inform the Commission thereof.	11. The Administrative Board shall, as soon as possible, notify the budgetary authority of its intention to implement any project which will have significant financial implications for the funding of the budget, in particular any projects relating to property such as the rental or purchase of buildings. It shall inform the Commission thereof. 11. The Administrative Board shall, as soon as possible, notify the budgetary authority of its intention to implement any project which will have significant financial implications for the funding of the budget, in particular any projects relating to property such as the rental or purchase of buildings. It shall inform the Commission thereof.	861
12. Where an arm of the budgetary authority has notified its intention to deliver an opinion, it shall forward its opinion to the Administrative Board within a period of six weeks from the date of notification of the project.	12. Where an arm of the budgetary authority has notified its intention to deliver an opinion, it shall forward its opinion to the Administrative Board within a period of six weeks from the date of notification of the project. 12. Where an arm of the budgetary authority has notified its intention to deliver an opinion, it shall forward its opinion to the Administrative Board within a period of six weeks from the date of notification of the project.	862

Article 85	Article 85 Article 85	863
Implementation of the Agency's budget	Implementation of the Agency's budget Implementation of the Agency's budget	864
1. The Executive Director shall implement the Agency's budget.	1. The Executive Director shall implement the Agency's budget. 1. The Executive Director shall implement the Agency's budget.	865
2. Each year, the Executive Director shall communicate to the budgetary authority all the information needed for the exercise of their evaluation duties.	2. Each year, the Executive Director shall communicate to the budgetary authority all the information needed for the exercise of their evaluation duties. 2. Each year, the Executive Director shall communicate to the budgetary authority all the information needed for the exercise of their evaluation duties.	866
Article 86	Article 86 Article 86	867
Presentation of the Agency's accounts and discharge	Presentation of the Agency's accounts and discharge Presentation of the Agency's accounts and discharge	868
The presentation of the Agency's provisional and final accounts and the discharge shall follow the rules and timetable of the Financial Regulation and of the Framework Financial Regulation for the bodies referred to in [Article 70] of the Financial Regulation.	The presentation of the Agency's provisional and final accounts and the discharge shall follow the rules and timetable of the Financial Regulation and of the Framework Financial Regulation for the bodies referred to in [Article 70] of the Financial Regulation. The presentation of the Agency's provisional and final accounts and the discharge shall follow the rules and timetable of the Financial Regulation and of the Financial Regulation for the bodies referred to in [Article 70] of the Financial Regulation.	869

Article 87	Article 87	Article 87	870
Financial provisions relating to	Financial provisions relating to	Financial provisions relating to	871
the Agency	the Agency	the Agency	
The financial rules applicable to	The financial rules applicable to	The financial rules applicable to	872
the Agency shall be adopted by	the Agency shall be adopted by	the Agency shall be adopted by	
the Administrative Board after	the Administrative Board after	the Administrative Board after	
consulting the Commission.	consulting the Commission.	consulting the Commission.	
These rules may not depart from	These rules may not depart from	These rules may not depart from	
the framework financial	the framework financial	the framework financial	
regulation for the bodies referred	regulation for the bodies referred	regulation for the bodies referred	
to in [Article 70] of the Financial	to in [Article 70] of the Financial	to in [Article 70] of the Financial	
Regulation unless such a	Regulation unless such a	Regulation unless such a	
departure is specifically required	departure is specifically required	departure is specifically required	
for the Agency's operation and	for the Agency's operation and	for the Agency's operation and	
the Commission has given its	the Commission has given its	the Commission has given its	
prior consent.	prior consent.	prior consent.	
CHAPTER V	CHAPTER V	CHAPTER V	873
The Agency's human resources	The Agency's human resources	The Agency's human resources	874
Article 88	Article 88	Article 88	875
The Agency's staff	The Agency's staff	The Agency's staff	876
1. The Staff Regulations, the	1. The Staff Regulations, the	1. The Staff Regulations, the	877
Conditions of Employment of	Conditions of Employment of	Conditions of Employment of	
Other Servants and the rules	Other Servants and the rules	Other Servants and the rules	
adopted jointly by the institutions	adopted jointly by the institutions	adopted jointly by the institutions	
of the Union for the purposes of	of the Union for the purposes of	of the Union for the purposes of	
the application of those Staff	the application of those Staff	the application of those Staff	
Regulations and Conditions of	Regulations and Conditions of	Regulations and Conditions of	
Employment of Other Servants	Employment of Other Servants	Employment of Other Servants	
shall apply to the staff employed	shall apply to the staff employed	shall apply to the staff employed	
by the Agency.	by the Agency.	by the Agency.	

2. The staff of the Agency shall consist of servants recruited by the Agency as necessary to perform its tasks. They shall have security clearance appropriate to the classification of the information they are handling.		2. The staff of the Agency shall consist of servants recruited by the Agency as necessary to perform its tasks. They shall have security clearance appropriate to the classification of the information they are handling.	2. The staff of the Agency shall consist of servants recruited by the Agency as necessary to perform its tasks. They shall have security clearance appropriate to the classification of the information they are handling.	878
3. The Agency's internal rules, such as the rules of procedure of the Administrative Board, the rules of procedure of the Security Accreditation Board, the financial rules applicable to the Agency, the rules implementing the Staff Regulations and the rules for access to documents, shall ensure the autonomy and independence of staff performing the security accreditation activities vis-à-vis staff performing the other activities of the Agency, pursuant to Article 36(i).		3. The Agency's internal rules, such as the rules of procedure of the Administrative Board, the rules of procedure of the Security Accreditation Board, the financial rules applicable to the Agency, the rules implementing the Staff Regulations and the rules for access to documents, shall ensure the autonomy and independence of staff performing the security accreditation activities vis-à-vis staff performing the other activities of the Agency, pursuant to Article 36(i).	3. The Agency's internal rules, such as the rules of procedure of the Administrative Board, the rules of procedure of the Security Accreditation Board, the financial rules applicable to the Agency, the rules implementing the Staff Regulations and the rules for access to documents, shall ensure the autonomy and independence of staff performing the security accreditation activities vis-à-vis staff performing the other activities of the Agency, pursuant to Article 36(i).	879
	AMD 210 3 a. The Agency's staff shall be remunerated from the Agency's own resources and, where necessary for the execution of the Agency's delegated tasks, through the use of budget delegated by the Commission.		EP OK to withdraw	879a

Article 89		Article 89	Article 89	880
Appointment and term of office of the Executive Director		Appointment and term of office of the Executive Director	Appointment and term of office of the Executive Director	881
1. The Executive Director shall be recruited as temporary members of staff of the Agency in accordance with Article 2(a) of the Conditions of Employment of Other Servants.		1. The Executive Director shall be recruited as temporary members of staff of the Agency in accordance with Article 2(a) of the Conditions of Employment of Other Servants.	1. The Executive Director shall be recruited as temporary members of staff of the Agency in accordance with Article 2(a) of the Conditions of Employment of Other Servants.	882
The Executive Director shall be appointed by the Administrative Board on grounds of merit and documented administrative and managerial skills, as well as relevant competence and experience, from a list of candidates proposed by the Commission, after an open and transparent competition, following the publication of a call for expressions of interest in the Official Journal of the European Union or elsewhere.	AMD 211 The Executive Director shall be appointed by the Administrative Board on grounds of merit and documented administrative and managerial skills, as well as relevant competence and experience, from a list of at least three candidates proposed by the Commission, after an open and transparent competition, following the publication of a call for expressions of interest in the Official Journal of the European Union or elsewhere.	The Executive Director shall be appointed by the Administrative Board on grounds of merit and documented administrative and managerial skills, as well as relevant competence and experience, from a list of candidates proposed by the Commission, after an open and transparent competition, following the publication of a call for expressions of interest in the Official Journal of the European Union or elsewhere.	The Executive Director shall be appointed by the Administrative Board on grounds of merit and documented administrative and managerial skills, as well as relevant competence and experience, from a list of at least three candidates proposed by the Commission, after an open and transparent competition, following the publication of a call for expressions of interest in the Official Journal of the European Union or elsewhere.	883

The candidate selected by the Administrative Board for the post of Executive Director may be invited at the earliest opportunity to make a statement before the European Parliament and to answer questions from its Members.	The candidate selected by the Administrative Board for the post of Executive Director may be invited at the earliest opportunity to make a statement before the European Parliament and to answer questions from its Members.	The candidate selected by the Administrative Board for the post of Executive Director may be invited at the earliest opportunity to make a statement before the European Parliament and to answer questions from its Members.	884
The Chairperson of the Administrative Board shall represent the Agency for the purpose of concluding the contracts of the Executive Director.	The Chairperson of the Administrative Board shall represent the Agency for the purpose of concluding the contracts of the Executive Director.	The Chairperson of the Administrative Board shall represent the Agency for the purpose of concluding the contracts of the Executive Director.	885
The Administrative Board shall take its decision to appoint the Executive Director by a two-thirds majority of its members.	The Administrative Board shall take its decision to appoint the Executive Director by a two-thirds majority of its members.	The Administrative Board shall take its decision to appoint the Executive Director by a two-thirds majority of its members.	886
2. The term of office of the Executive Director shall be five years. At the end of that term of office, the Commission shall carry out an assessment of the performance of the Executive Director, taking into account the future tasks and challenges facing the Agency.	2. The term of office of the Executive Director shall be five years. At the end of that term of office, the Commission shall carry out an assessment of the performance of the Executive Director, taking into account the future tasks and challenges facing the Agency.	2. The term of office of the Executive Director shall be five years. At the end of that term of office, the Commission shall carry out an assessment of the performance of the Executive Director, taking into account the future tasks and challenges facing the Agency.	887

On the basis of a proposal from the Commission, taking into account the assessment referred to in the first subparagraph, the Administrative Board may extend the term of office of the Executive Director once for a period of up to four years.	AMD 212 On the basis of a proposal from the Commission, taking into account the assessment referred to in the first subparagraph, the Administrative Board may extend the term of office of the Executive Director once for a period of up to <i>five</i> years.	On the basis of a proposal from the Commission, taking into account the assessment referred to in the first subparagraph, the Administrative Board may extend the term of office of the Executive Director once for a period of up to four five years.	On the basis of a proposal from the Commission, taking into account the assessment referred to in the first subparagraph, the Administrative Board may extend the term of office of the Executive Director once for a period of up to five years.	888
Any decision to extend the term of office of the Executive Director shall be adopted by a two-thirds majority of the members of the Administrative Board.		Any decision to extend the term of office of the Executive Director shall be adopted by a two-thirds majority of the members of the Administrative Board.	Any decision to extend the term of office of the Executive Director shall be adopted by a two-thirds majority of the members of the Administrative Board.	889
An Executive Director whose term of office has been extended may not thereafter take part in a selection procedure for the same post.		An Executive Director whose term of office has been extended may not thereafter take part in a selection procedure for the same post.	An Executive Director whose term of office has been extended may not thereafter take part in a selection procedure for the same post.	890
The Administrative Board shall inform the European Parliament of its intention to extend the term of office of the Executive Director. Before the extension, the Executive Director may be invited to make a statement before the relevant committees of the European Parliament and answer Members' questions.		The Administrative Board shall inform the European Parliament of its intention to extend the term of office of the Executive Director. Before the extension, the Executive Director may be invited to make a statement before the relevant committees of the European Parliament and answer Members' questions.	The Administrative Board shall inform the European Parliament of its intention to extend the term of office of the Executive Director. Before the extension, the Executive Director may be invited to make a statement before the relevant committees of the European Parliament and answer Members' questions.	891

3. The Administrative Board may dismiss the Executive Director, on the basis of a proposal by the Commission or of one third of its members, by means of a decision adopted by a two-thirds majority of its members.	3. The Administrative Board may dismiss the Executive Director, on the basis of a proposal by the Commission or of one third of its members, by means of a decision adopted by a two-thirds majority of its members. 3. The Administrative Board in dismiss the Executive Director on the basis of a proposal by the Commission or of one third of members, by means of a decision adopted by a two-thirds majority of its members.	its on
4. The European Parliament and the Council may call upon the Executive Director for an exchange of views before those institutions on the work and prospects of the Agency, including with regard to the multiannual and annual work programmes. That exchange of views shall not touch upon matters relating to the security accreditation activities covered by Chapter II of Title V.	4. The European Parliament and the Council may call upon the Executive Director for an exchange of views before those institutions on the work and prospects of the Agency, including with regard to the multiannual and annual work programmes. That exchange of views shall not touch upon matters relating to the security accreditation activities covered by Chapter II of Title V. 4. The European Parliament are the Council may call upon the Executive Director for an exchange of views before those institutions on the work and prospects of the Agency, including with regard to the multiannual and annual work programmes. That exchange of views shall not touch upon matters relating to the security accreditation activities covered by Chapter II of Title V.	

Article 90	Article 90	Article 90	894
Secondment of national experts	Secondment of national experts	Secondment of national experts	895
to the Agency	to the Agency	to the Agency	
The Agency may employ national	The Agency may employ national	The Agency may employ national	896
experts from Member States,	experts from Member States,	experts from Member States, as	
Member State agencies or	Member State agencies or as well	well as, pursuant to Article 98(2),	
international organisations. These	as, pursuant to Article 98(2),	national experts from	
experts shall have security	national experts from	participating third countries and	
clearance appropriate to the	participating third countries	international organisations. These	
classification of the information	<u>and</u> international organisations.	experts shall have security	
they are handling. The Staff	These experts shall have security	clearance appropriate to the	
Regulations and the Conditions	clearance appropriate to the	classification of the information	
of Employments of Other	classification of the information	they are handling . pursuant to	
Servants shall not apply to such	they are handling. pursuant to	Article 42(c). The Staff	
staff.	Article 42(c). The Staff	Regulations and the Conditions	
	Regulations and the Conditions	of Employments of Other	
	of Employments of Other	Servants shall not apply to such	
	Servants shall not apply to such	staff.	
	staff.		
CHAPTER VI	CHAPTER VI	CHAPTER VI	897
Other provisions	Other provisions	Other provisions	898
Article 91	Article 91	Article 91	899
Privileges and immunities	Privileges and immunities	Privileges and immunities	900
Protocol No 7 on the Privileges	Protocol No 7 on the Privileges	Protocol No 7 on the Privileges	901
and Immunities of the European	and Immunities of the European	and Immunities of the European	
Union annexed to the Treaty on	Union annexed to the Treaty on	Union annexed to the Treaty on	
European Union and to the Treaty	European Union and to the Treaty	European Union and to the Treaty	
on the Functioning of the	on the Functioning of the	on the Functioning of the	
European Union shall apply to	European Union shall apply to	European Union shall apply to	
the Agency and its staff.	the Agency and its staff.	the Agency and its staff.	

Article 92		Article 92	Article 92	902
Headquarters agreement and operating conditions	AMD 213 Headquarters and Local Offices agreement and operating conditions	Headquarters agreement Hosting agreements and operating conditions	Headquarters agreement and local offices hosting agreements	903
1. Necessary arrangements concerning the accommodation to be provided for the Agency in the host Member State and the facilities to be made available by that Member State together with the specific rules applicable in the host Member State to the Executive Director, members of the Administrative Board, Agency staff and members of their families shall be laid down in a Headquarters Agreement between the Agency and Member State where the seat is located, concluded after obtaining the approval of the Administrative Board.	2 1. Necessary arrangements concerning the accommodation to be provided for the Agency in the host Member <i>States</i> and the facilities to be made available by that Member States together with the specific rules applicable in the host Member <i>States</i> to the Executive Director, members of the Administrative Board, Agency staff and members of	1. Necessary arrangements concerning the accommodation to be provided for the Agency in the host Member State and the facilities to be made available by that Member State together with the specific rules applicable in the host Member State to the Executive Director, members of the Administrative Board, Agency staff and members of their families shall be laid down in a Headquarters Hosting Agreement between the Agency and the Member State concerned where the seat is or local offices are located, concluded after obtaining the approval of the Administrative Board.	1. Necessary arrangements concerning the accommodation to be provided for the Agency in the host Member State and the facilities to be made available by that Member State together with the specific rules applicable in the host Member State to the Executive Director, members of the Administrative Board, Agency staff and members of their families shall be laid down in a Headquarters Agreement between the Agency and the Member State concerned where the seat is located, concluded after obtaining the approval of the Administrative Board. Where necessary for the operation of the local office, a hosting agreement between the Agency and the Member State concerned where the office is located shall be concluded after obtaining the approval of the Administrative Board.	904

2. The Agency's host Member State shall provide the best possible conditions to ensure the smooth and efficient functioning of the Agency, including multilingual, European-oriented schooling and appropriate transport connections	2. The Agency's host Member States shall provide the best possible conditions to ensure the smooth and efficient functioning of the Agency, including multilingual, European-oriented schooling and appropriate transport connections	2. The Agency's host Member States shall provide the best possible conditions to ensure the smooth and efficient functioning of the Agency, including multilingual, European-oriented schooling and appropriate transport connections	905
Article 93	Article 93	Article 93	906
Linguistic arrangements for the Agency	Linguistic arrangements for the Agency	Linguistic arrangements for the Agency	907
1. The provisions laid down in Regulation No 1 of 15 April 1958 determining the languages to be used by the European Economic Community ⁸⁴ shall apply to the Agency.	1. The provisions laid down in Regulation No 1 of 15 April 1958 determining the languages to be used by the European Economic Community ⁸⁵ shall apply to the Agency.	1. The provisions laid down in Regulation No 1 of 15 April 1958 determining the languages to be used by the European Economic Community ⁸⁶ shall apply to the Agency.	908
2. The translation services required for the functioning of the Agency shall be provided by the Translation Centre for the Bodies of the European Union.	2. The translation services required for the functioning of the Agency shall be provided by the Translation Centre for the Bodies of the European Union.	2. The translation services required for the functioning of the Agency shall be provided by the Translation Centre for the Bodies of the European Union.	909

⁸⁴

⁸⁵

OJ 17, 6.10.1958, p. 385–386. OJ 17, 6.10.1958, p. 385–386. OJ 17, 6.10.1958, p. 385–386. 86

Article 94	Article 94	Article 94	910
Policy on access to documents held by the Agency	Policy on access to documents held by the Agency	Policy on access to documents held by the Agency	911
1. Regulation (EC) No 1049/2001 shall apply to documents held by the Agency.	1. Regulation (EC) No 1049/2001 shall apply to documents held by the Agency.	1. Regulation (EC) No 1049/2001 shall apply to documents held by the Agency.	912
2. The Administrative Board shall adopt arrangements for implementing Regulation (EC) No 1049/2001.	2. The Administrative Board shall adopt arrangements for implementing Regulation (EC) No 1049/2001.	2. The Administrative Board shall adopt arrangements for implementing Regulation (EC) No 1049/2001.	913
3. Decisions taken by the Agency in pursuance of Article 8 of Regulation (EC) No 1049/2001 may be the subject of a complaint to the Ombudsman or an action before the Court of Justice of the European Union, under Articles 228 and 263 of the Treaty on the Functioning of the European Union respectively.	3. Decisions taken by the Agency in pursuance of Article 8 of Regulation (EC) No 1049/2001 may be the subject of a complaint to the Ombudsman or an action before the Court of Justice of the European Union, under Articles 228 and 263 of the Treaty on the Functioning of the European Union respectively.	3. Decisions taken by the Agency in pursuance of Article 8 of Regulation (EC) No 1049/2001 may be the subject of a complaint to the Ombudsman or an action before the Court of Justice of the European Union, under Articles 228 and 263 of the Treaty on the Functioning of the European Union respectively.	914

Article 95	Article 95	Article 95	915
Fraud prevention by the Agency	Fraud prevention by the Agency	Fraud prevention by the Agency	916
1. In order to facilitate combating fraud, corruption and other unlawful activities under Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council, the Agency shall, within six months from the day it becomes operational, accede to the Interinstitutional Agreement of 25 May 1999 concerning internal investigations by the European Anti-fraud Office (OLAF) ⁸⁷ and adopt appropriate provisions applicable to all employees of the Agency using the template set out in the Annex to that Agreement.	1. In order to facilitate combating fraud, corruption and other unlawful activities under Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council, the Agency shall, within six months from the day it becomes operational, accede to the Interinstitutional Agreement of 25 May 1999 concerning internal investigations by the European Anti-fraud Office (OLAF) ⁸⁸ and adopt appropriate provisions applicable to all employees of the Agency using the template set out in the Annex to that Agreement.	1. In order to facilitate combating fraud, corruption and other unlawful activities under Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council, the Agency shall, within six months from the day it becomes operational, accede to the Interinstitutional Agreement of 25 May 1999 concerning internal investigations by the European Anti-fraud Office (OLAF) ⁸⁹ and adopt appropriate provisions applicable to all employees of the Agency using the template set out in the Annex to that Agreement.	917
2. The European Court of Auditors shall have the power of audit, on the basis of documents and on the spot, over all grant beneficiaries, contractors and subcontractors who have received Union funds from the Agency.	2. The European Court of Auditors shall have the power of audit, on the basis of documents and on the spot, over all grant beneficiaries, contractors and subcontractors who have received Union funds from the Agency.	2. The European Court of Auditors shall have the power of audit, on the basis of documents and on the spot, over all grant beneficiaries, contractors and subcontractors who have received Union funds from the Agency.	918

⁸⁷

⁸⁸

OJ L 136, 31.5.1999, p. 15. OJ L 136, 31.5.1999, p. 15. OJ L 136, 31.5.1999, p. 15. 89

3. OLAF may carry out investigations, including on-the-spot checks and inspections with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant or a contract funded by the Agency, in accordance with the provisions and procedures laid down in Council Regulation (Euratom, EC) No 2185/96 and in Regulation (EU, Euratom) No 883/2013.	3. OLAF may carry out investigations, including on-the-spot checks and inspections with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant or a contract funded by the Agency, in accordance with the provisions and procedures laid down in Council Regulation (Euratom, EC) No 2185/96 and in Regulation (EU, Euratom) No 883/2013.	3. OLAF may carry out investigations, including on-the-spot checks and inspections with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant or a contract funded by the Agency, in accordance with the provisions and procedures laid down in Council Regulation (Euratom, EC) No 2185/96 and in Regulation (EU, Euratom) No 883/2013.	919
4. Without prejudice to paragraphs 1, 2 and 3, cooperation agreements with third countries and international organisations, contracts, grant agreements and grant decisions of the Agency shall contain provisions expressly empowering the European Court of Auditors and OLAF to conduct such audits and investigations, according to their respective competences.	4. Without prejudice to paragraphs 1, 2 and 3, cooperation agreements with third countries and international organisations, contracts, grant agreements and grant decisions of the Agency shall contain provisions expressly empowering the European Court of Auditors and OLAF to conduct such audits and investigations, according to their respective competences.	4. Without prejudice to paragraphs 1, 2 and 3, cooperation agreements with third countries and international organisations, contracts, grant agreements and grant decisions of the Agency shall contain provisions expressly empowering the European Court of Auditors and OLAF to conduct such audits and investigations, according to their respective competences.	920

Article 96	Article 96	Article 96	921
Protection of classified or	Protection of classified or	Protection of classified or	922
sensitive non-classified	sensitive non-classified	sensitive non-classified	
information by the Agency	information by the Agency	information by the Agency	
The Agency shall, subject to prior	The Agency shall, subject to prior	The Agency shall, subject to prior	923
consultation of the Commission,	consultation of the Commission,	consultation of the Commission,	
adopt its own security rules	adopt its own security rules	adopt its own security rules	
equivalent to the Commission's	equivalent to the Commission's	equivalent to the Commission's	
security rules for protecting	security rules for protecting	security rules for protecting	
EUCI and sensitive non-classified	EUCI and sensitive non-classified	EUCI and sensitive non-classified	
information, including rules	information, including rules	information, including rules	
concerning the exchange,	concerning the exchange,	concerning the exchange,	
processing and storage of such	processing and storage of such	processing and storage of such	
information, in accordance with	information, in accordance with	information, in accordance with	
Commission Decision (EU,	Commission Decision (EU,	Commission Decision (EU,	
Euratom) 2015/443 of 13 March	Euratom) 2015/443 of 13 March	Euratom) 2015/443 of 13 March	
2015 on Security on the	2015 on Security on the	2015 on Security on the	
Commission ⁹⁰ and 2015/444 ⁹¹ .	Commission ⁹² and 2015/444 ⁹³ .	Commission ⁹⁴ and 2015/444 ⁹⁵ .	

Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security on the Commission (OJ L 72, 17.3.2015, p.41).

Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p.53).

Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security on the Commission (OJ L 72, 17.3.2015, p.41).

Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p.53).

Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security on the Commission (OJ L 72, 17.3.2015, p.41).

Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p.53).

Article 97	Article 97	Article 97	924
Liability of the Agency	Liability of the Agency	Liability of the Agency	925
1. The contractual liability of the Agency shall be governed by the law applicable to the contract in question.	1. The contractual liability of the Agency shall be governed by the law applicable to the contract in question.	1. The contractual liability of the Agency shall be governed by the law applicable to the contract in question.	926
2. The Court of Justice shall have jurisdiction to give judgment pursuant to any arbitration clause contained in a contract concluded by the Agency.	2. The Court of Justice shall have jurisdiction to give judgment pursuant to any arbitration clause contained in a contract concluded by the Agency.	2. The Court of Justice shall have jurisdiction to give judgment pursuant to any arbitration clause contained in a contract concluded by the Agency.	927
3. In the event of non-contractual liability, the Agency shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by its departments or by its servants in the performance of their duties.	3. In the event of non-contractual liability, the Agency shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by its departments or by its servants in the performance of their duties.	3. In the event of non-contractual liability, the Agency shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by its departments or by its servants in the performance of their duties.	928
4. The Court of Justice shall have jurisdiction in disputes over compensation for the damage referred to in paragraph 3.	4. The Court of Justice shall have jurisdiction in disputes over compensation for the damage referred to in paragraph 3.	4. The Court of Justice shall have jurisdiction in disputes over compensation for the damage referred to in paragraph 3.	929

5. The personal liability of its servants towards the Agency shall be governed by the provisions laid down in the Staff Regulations or Conditions of Employment of Other Servants applicable to them.		5. The personal liability of its servants towards the Agency shall be governed by the provisions laid down in the Staff Regulations or Conditions of Employment of Other Servants applicable to them.	5. The personal liability of its servants towards the Agency shall be governed by the provisions laid down in the Staff Regulations or Conditions of Employment of Other Servants applicable to them	930
Article 98		Article 98	Article 98	931
Cooperation with third countries and international organisations		Cooperation with third countries and international organisations	Cooperation with third countries and international organisations	932
1. The Agency shall be open to the participation of third countries that have entered into agreements with the Union to this effect.	AMD 215 1. The Agency shall be open to the participation of third countries <i>and international organisations</i> that have entered into agreements with the Union to this effect.	1. The Agency shall be open to the participation of third countries and international organisations that have entered into international agreements with the Union to this effect.	1. The Agency shall be open to the participation of third countries and international organisations that have entered into international agreements with the Union to this effect.	933

934

2. Under the relevant provisions of the agreements referred to in paragraph 1, arrangements shall be developed specifying, in particular, the nature, extent and manner in which the third countries concerned will participate in the work of the Agency, including provisions relating to participation in the initiatives undertaken by the Agency, financial contributions and staff. As regards staff matters, those arrangements shall, in any event, comply with the Staff Regulations.

2. Under the relevant provisions of the agreements referred to in paragraph 1 and Article 42, arrangements shall be developed specifying, in particular, the nature, extent and manner in which the third countries concerned will participate in the work of the Agency, including provisions relating to participation in the initiatives undertaken by the Agency, financial contributions and staff. As regards staff matters, those arrangements shall, in any event, comply with the Staff Regulations. When relevant, they shall also include provisions on the exchange and protection of classified information with third countries and international organisations. Those provisions shall be subject to the Commission's prior approval.

2. Under the relevant provisions of the agreements referred to in paragraph 1 and Article 42, arrangements shall be developed specifying, in particular, the nature, extent and manner in which the third countries concerned will participate in the work of the Agency, including provisions relating to participation in the initiatives undertaken by the Agency, financial contributions and staff. As regards staff matters, those arrangements shall, in any event, comply with the Staff Regulations. When relevant, they shall also include provisions on the exchange and protection of classified information with third countries and international organisations. Those provisions shall be subject to the Commission's prior approval.

3. The Administrative Board shall adopt a strategy on relations with third countries and international organisations concerning matters for which the Agency is competent.	3. The Administrative Board shall adopt a strategy on relations with third countries and international organisations, in the framework of the international agreements referred to in paragraph 1, concerning matters for which the Agency is competent.	3. The Administrative Board shall adopt a strategy on relations with third countries and international organisations, in the framework of the international agreements referred to in paragraph 1, concerning matters for which the Agency is competent.	935
4. The Commission shall ensure that, in its relations with third countries and international organisations, the Agency acts within its mandate and the existing institutional framework by concluding an appropriate working arrangement with the Executive Director	4. The Commission shall ensure that, in its relations with third countries and international organisations, the Agency acts within its mandate and the existing institutional framework by concluding an appropriate working arrangement with the Executive Director	4. The Commission shall ensure that, in its relations with third countries and international organisations, the Agency acts within its mandate and the existing institutional framework by concluding an appropriate working arrangement with the Executive Director	936

Article 99	Article 99	Article 99	937
Conflicts of interest	Conflicts of interest	Conflicts of interest	938
1. Members of the Administrative Board and of the Security Accreditation Board, the Executive Director, seconded national experts and observers shall make a declaration of commitments and a declaration of interests indicating the absence or	1. Members of the Administrative Board and of the Security Accreditation Board, the Executive Director, seconded national experts and observers shall make a declaration of commitments and a declaration of interests indicating the absence or	1. Members of the Administrative Board and of the Security Accreditation Board, the Executive Director, seconded national experts and observers shall make a declaration of commitments and a declaration of interests indicating the absence or	938
existence of any direct or indirect interests which might be considered prejudicial to their independence. Those declarations shall be accurate and complete. They shall be made in writing upon the entry into service of the persons concerned and shall be renewed annually. They shall be updated whenever necessary, in particular in the event of relevant changes in the personal circumstances of the persons concerned.	existence of any direct or indirect interests which might be considered prejudicial to their independence. Those declarations shall be accurate and complete. They shall be made in writing upon the entry into service of the persons concerned and shall be renewed annually. They shall be updated whenever necessary, in particular in the event of relevant changes in the personal circumstances of the persons concerned.	existence of any direct or indirect interests which might be considered prejudicial to their independence. Those declarations shall be accurate and complete. They shall be made in writing upon the entry into service of the persons concerned and shall be renewed annually. They shall be updated whenever necessary, in particular in the event of relevant changes in the personal circumstances of the persons concerned.	

		0.40
2. Before any meeting which they	2. Before any meeting which they 2. Before any meeting which they	940
are to attend, members of the	are to attend, members of the are to attend, members of the	
Administrative Board and of the	Administrative Board and of the Administrative Board and of the	
Security Accreditation Board, the	Security Accreditation Board, the Security Accreditation Board, the	
Executive Director, seconded	Executive Director, seconded Executive Director, seconded	
national experts, observers and	national experts, observers and an national experts, observers and	
external experts participating in	external experts participating in external experts participating in	
ad hoc working groups shall	ad hoc working groups shall ad hoc working groups shall	
accurately and completely declare	accurately and completely declare accurately and completely declare	
the absence or existence of any	the absence or existence of any the absence or existence of any	
interest which might be	interest which might be interest which might be	
considered prejudicial to their	considered prejudicial to their considered prejudicial to their	
independence in relation to any	independence in relation to any independence in relation to any	
items on the agenda, and shall	items on the agenda, and shall items on the agenda, and shall	
abstain from participating in the	abstain from participating in the abstain from participating in the	
discussion of and voting upon	discussion of and voting upon discussion of and voting upon	
such points.	such points. such points.	
		941
3. The Administrative Board and	3. The Administrative Board and the Second According Board.	
the Security Accreditation Board	the Security Accreditation Board the Security Accreditation Board	
shall lay down, in their rules of	shall lay down, in their rules of shall lay down, in their rules of	
procedure, the practical	procedure, the practical procedure, the practical	
arrangements for the rules on declaration of interest referred to	arrangements for the rules on declaration of interest referred to declaration of interest referred to	
in paragraphs 1 and 2 and for the prevention and management of	in paragraphs 1 and 2 and for the prevention and management of prevention and management of	
conflicts of interest.	conflicts of interest.	
conflicts of interest.	connicts of interest.	

TITLE X	TITLE X	TITLE X	942
PROGRAMMING,	PROGRAMMING,	PROGRAMMING,	943
MONITORING, EVAUATION	MONITORING, EVAUATION	MONITORING, EVAUATION	
AND CONTROL	AND CONTROL	AND CONTROL	
Article 100	Article 100	Article 100	944
Work programme	Work programme		945
The Programme shall be	The Programme shall be	Institutional issues	946
implemented by the work	implemented by the work	(delegated/implementing acts)	
programmes referred to in	programmes referred to in		
Article 110 of the Financial	Article 110 of the Financial		
Regulation, which may be	Regulation, which may shall be		
specific to each component of the	specific and fully separate work		
Programme. Work programmes	programmes for to each		
shall set out, where applicable,	component of the Programme.		
the overall amount reserved for	Work programmes shall set out		
blending operations.	the actions and associated		
	budget required to meet the		
	objectives of the programme		
	<u>and</u> , where applicable, the		
	overall amount reserved for		
	blending operations.		
	Those implementing measures		
	shall be adopted in accordance		
	with the examination procedure		
	referred to in Article 107(3).		

Article 101		Article 101		947
Monitoring and reporting		Monitoring and reporting		948
1. Indicators to report on progress of the Programme towards achieving the general and specific objectives set out in Article 4 are set in the Annex.		1. Indicators to report on progress of the Programme towards achieving the general and specific objectives set out in Article 4 are set in the Annex.	1. Indicators to report on progress of the Programme towards achieving the general and specific objectives set out in Article 4 are set in the Annex.	949
	AMD 216 Ia. The Commission shall define a methodology to provide for qualitative indicators for an accurate assessment of the progress towards achieving the general objectives set out in points (a), (b) and (c) of Article 4(1). On the basis of that methodology the Commission shall complement the Annex, at the latest by January 1 2021.		EP OK to withdraw	949a
2. The Commission is empowered to adopt delegated acts in accordance with Article 105 concerning amendments to the Annex to review and/or complement the indicators where considered necessary.		2. The Commission is empowered to adopt delegated acts in accordance with Article 105 concerning amendments to the Annex to review and/or complement the indicators where considered necessary.	2. The Commission is empowered to adopt delegated acts in accordance with Article 105 concerning amendments to the Annex to review and/or complement the indicators where considered necessary.	950

3. The performance reporting system shall ensure that data for monitoring programme implementation and results are collected efficiently, effectively, and in a timely manner. To that end, proportionate reporting requirements shall be imposed on recipients of Union funds and, where relevant, Member States. 4. For the purposes of paragraph	3. The performance reporting system shall ensure that data for monitoring programme implementation and results are collected efficiently, effectively, and in a timely manner. To that end, proportionate reporting requirements shall be imposed on recipients of Union funds and, where relevant, Member States. 4. For the purposes of paragraph	3. The performance reporting system shall ensure that data for monitoring programme implementation and results are collected efficiently, effectively, and in a timely manner. To that end, proportionate reporting requirements shall be imposed on recipients of Union funds and, where relevant, Member States. 4. For the purposes of paragraph	951
1, the recipients of Union funds are obliged to provide appropriate information. The data necessary for the verification of the performance shall be collected in an efficient, effective and timely manner.	1, the recipients of Union funds are obliged to provide appropriate information. The data necessary for the verification of the performance shall be collected in an efficient, effective and timely manner.	1, the recipients of Union funds are obliged to provide appropriate information. The data necessary for the verification of the performance shall be collected in an efficient, effective and timely manner.	
Article 102 Evaluation	Article 102 Evaluation	Article 102 Evaluation	953 954
1. The Commission shall carry out evaluations of the Programme in a timely manner to feed into the decision-making process.	1. The Commission shall carry out evaluations of the Programme in a timely manner to feed into the decision-making process.	1. The Commission shall carry out evaluations of the Programme in a timely manner to feed into the decision-making process.	955

2. The interim evaluation of the Programme shall be performed once there is sufficient information available about the implementation of the programme, but no later than four years after the start of the programme implementation.

AMD 217

The interim evaluation of the Programme shall be performed once there is sufficient information available about the implementation of the programme, but no later than three years after the start of the programme implementation. A specific section of this evaluation shall be dedicated to the governance of the Programme aimed at providing information as to whether amendments to tasks and competences entrusted to the different actors of the Programme are needed.

2. The interim evaluation of the Programme By 30 June 2024, and every four years thereafter, the Commission shall be performed once there is sufficient information available about evaluate the implementation of the programme, but no later than four years after the start of the programme implementation.

four years thereafter, the Commission shall evaluate the implementation of the programme. That evaluation shall cover all the Programme's components and actions. It shall assess the performance of the services provided, the evolution of users' needs and the evolution of available capacities for sharing and pooling, when evaluating the implementation of SSA and Govsatcom, or of data and services offered by competitors, when evaluating the implementation of Galileo, Copernicus and EGNOS. For each component, the evaluation, on the basis of a cost/benefit analysis, shall also assess the impact of those evolutions, including the need for changing the pricing policy or the need for additional space or ground infrastructure. If necessary, the evaluation shall be accompanied by an appropriate proposal.

2. By 30 June 2024, and every

956

3. At the end of the implementation of the Programme, but no later than four years after the end of the period specified in Article 1, a final evaluation of the Programme shall be carried out by the Commission.		3. At the end of the implementation of the Programme, but no later than four years after the end of the period specified in Article 1, a final evaluation of the Programme shall be carried out by the Commission.	CONS text deletion OK	957
4. The Commission shall communicate the conclusions of the evaluations accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.	4. The Commission shall communicate the conclusions of the evaluations accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions and if appropriate may accompany the evaluation with a new legislative proposal.	4. The Commission shall communicate the conclusions of the evaluations accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.	4. The Commission shall communicate the conclusions of the evaluations accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.	958
5. The entities involved in the implementation of this Regulation shall provide to the Commission the data and information necessary for the evaluation referred to in the first paragraph.		5. The entities involved in the implementation of this Regulation shall provide to the Commission the data and information necessary for the evaluation referred to in the first paragraph.	5. The entities involved in the implementation of this Regulation shall provide to the Commission the data and information necessary for the evaluation referred to in the first paragraph.	959

6. By 30 June 2024, and every five years thereafter, the Commission shall assess the Agency's performance, in relation to its objectives, mandate, tasks and location, in accordance with Commission guidelines. The evaluation shall, in particular, address the possible need to modify the mandate of the Agency, and the financial implications of any such modification. It shall also address the Agency's policy on conflicts of interest and the independence and autonomy of the Security Accreditation Board.

AMD 219

By 30 June 2024, and every three years thereafter, the Commission shall assess the Agency's performance, in relation to its objectives, mandate, tasks and location, in accordance with Commission guidelines. The evaluation shall address the possible need to modify the mandate of the Agency, in particular regarding the possibility to entrust it with additional tasks, in accordance with Article 30, and the financial implications of any such modification. It shall also address the Agency's policy on conflicts of interest and the independence and autonomy of the Security Accreditation Board.

6. By 30 June 2024, and every five four years thereafter, the Commission shall assess the Agency's performance, in relation to its objectives, mandate, and tasks and location, in accordance with Commission guidelines. The evaluation shall, in particular, address the possible need to modify the mandate of the Agency, and the financial implications of any such modification. It shall also address the Agency's policy on conflicts of interest and the independence and autonomy of the Security Accreditation Board.

6. By 30 June 2024, and every four years thereafter, the Commission shall assess the Agency's performance, in relation to its objectives, mandate, and tasks, in accordance with Commission guidelines. The evaluation shall, in particular, address the possible need to modify the mandate of the Agency, and the financial implications of any such modification, and shall be based on a cost/benefit analysis. It shall also address the Agency's policy on conflicts of interest and the independence and autonomy of the Security Accreditation Board. The Commission may also evaluate the Agency's performance to assess the possibility to entrust it with additional tasks, in accordance with Article 30(3). If necessary, the evaluation shall be accompanied by an appropriate proposal.

960

Where the Commission considers	Where the Commission considers Where the Commission con	nsiders 961
that there are no longer grounds	that there are no longer grounds that there are no longer gro	ounds
for the Agency to continue	for the Agency to continue for the Agency to continue	:
pursuing its activities, given its	pursuing its activities, given its pursuing its activities, give	n its
objectives, mandate and tasks, it	objectives, mandate and tasks, it objectives, mandate and tasks	sks, it
may propose to amend this	may propose to amend this may propose to amend this	
Regulation accordingly.	Regulation accordingly. Regulation accordingly.	
The Commission shall submit a	The Commission shall submit a The Commission shall submit a	mit a 962
report on the evaluation of the	report on the evaluation of the report on the evaluation of	the
Agency and its conclusions to the	Agency and its conclusions to the Agency and its conclusions	s to the
European Parliament, the	European Parliament, the European Parliament, the	
Council, the Administrative	Council, the Administrative Council, the Administrative	e
Board and the Security	Board and the Security Board and the Security	
Accreditation Board of the	Accreditation Board of the Accreditation Board of the	
Agency. The findings of the	Agency. The findings of the Agency. The findings of the	ie
evaluation shall be made public.	evaluation shall be made public. evaluation shall be made p	ublic.
Article 103	Article 103 Article 103	963
Audits	Audits Audits	964
Audits on the use of the Union	Audits on the use of the Union Audits on the use of the Ur	nion 965
contribution carried out by	contribution carried out by contribution carried out by	
persons or entities, including	persons or entities, including persons or entities, including	ng
others than those mandated by the	others than those mandated by the others than those mandated	l by the
Union institutions or bodies, shall	Union institutions or bodies, shall Union institutions or bodie	•
form the basis of the overall	form the basis of the overall form the basis of the overa	11
assurance pursuant to Article 127	assurance pursuant to Article 127 assurance pursuant to Artic	cle 127
of the Financial Regulation.	of the Financial Regulation. of the Financial Regulation	

Article 104	Article 104 Article 104	966
Personal data and privacy	Personal data and privacy Personal data and privacy	967
protection	protection protection	
All personal data handled in the	All personal data handled in the All personal data handled in the	968
context of the tasks and activities	context of the tasks and activities context of the tasks and activities	
provided for in this Regulation,	provided for in this Regulation, provided for in this Regulation,	
including by the European Union	including by the European Union including by the European Union	
Agency for Space, shall be	Agency for Space, shall be Agency for Space, shall be	
processed in accordance with the	processed in accordance with the processed in accordance with the	
applicable law on personal data	applicable law on personal data applicable law on personal data	
protection, in particular	protection, in particular protection, in particular	
Regulation (EC) No 45/2001 of	Regulation (EC) No 45/2001 of Regulation (EC) No 45/2001 of	
the European Parliament and of	the European Parliament and of the European Parliament and of	
the Council and Regulation No	the Council and Regulation No the Council and Regulation No	
2016/679 of the European	2016/679 of the European 2016/679 of the European	
Parliament and of the Council.	Parliament and of the Council. Parliament and of the Council.	
The Administrative Board shall	The Administrative Board shall The Administrative Board shall	
establish measures for the	establish measures for the establish measures for the	
application of Regulation (EC)	application of Regulation (EC) application of Regulation (EC)	
No 45/2001 by the Agency,	No $45/2001$ by the Agency, No $45/2001$ by the Agency,	
including those concerning the	including those concerning the including those concerning the	
appointment of a Data Protection	appointment of a Data Protection appointment of a Data Protection	
Officer of the Agency. Those	Officer of the Agency. Those Officer of the Agency. Those	
measures shall be established	measures shall be established measures shall be established	
after consultation of the European	after consultation of the European after consultation of the European	
Data Protection Supervisor.	Data Protection Supervisor. Data Protection Supervisor.	

TITLE XI		TITLE XI	TITLE XI	969
DELEGATION AND		DELEGATION AND	DELEGATION AND	970
IMPLEMENTING		IMPLEMENTING	IMPLEMENTING	
MEASURES		MEASURES	MEASURES	
Article 105		Article 105	Article 105	971
Exercise of the delegation		Exercise of the delegation	Exercise of the delegation	972
1. The power to adopt delegated		1. The power to adopt delegated	1. The power to adopt delegated	973
acts is conferred on the		acts is conferred on the	acts is conferred on the	
Commission subject to the		Commission subject to the	Commission subject to the	
conditions laid down in this		conditions laid down in this	conditions laid down in this	
Article.		Article.	Article.	
2. The power to adopt delegated	AMD 220	2. The power to adopt delegated	2. The power to adopt delegated	974
acts referred to in Articles 52 and	2. The power to adopt	acts referred to in Articles 52 and	acts referred to in Articles 52 and	
101 shall be conferred on the	delegated acts referred to in	101 shall be conferred on the	101 shall be conferred on the	
Commission for an indeterminate	Articles 52 and 101 shall be	Commission for an indeterminate	Commission until 31 December	
period until 31 December 2028.	conferred on the Commission	period until 31 December 2028.	2028.	
	until 31 December 2028.			0.7.7
3. The delegation of power		3. The delegation of power	3. The delegation of power	975
referred to in Articles 52 and 101		referred to in Articles 52 and 101	referred to in Articles 52 and 101	
may be revoked at any time by		may be revoked at any time by	may be revoked at any time by	
the European Parliament or by		the European Parliament or by	the European Parliament or by	
the Council. A decision to revoke		the Council. A decision to revoke	the Council. A decision to revoke	
shall put an end to the delegation		shall put an end to the delegation	shall put an end to the delegation	
of the power specified in that decision. It shall take effect the		of the power specified in that decision. It shall take effect the	of the power specified in that decision. It shall take effect the	
day following the publication of				
the decision in the Official		day following the publication of the decision in the Official	day following the publication of the decision in the Official	
Journal of the European Union or		Journal of the European Union or	Journal of the European Union or	
at a later date specified therein. It		at a later date specified therein. It	at a later date specified therein. It	
shall not affect the validity of any		shall not affect the validity of any	shall not affect the validity of any	
delegated act already in force.		delegated act already in force.	delegated act already in force.	
delegated act already in force.		deregated act arready in force.	delegated act already in force.	

4. Before adopting a delegated	4. Before adopting a delegated 4. Before adopting a delegated	976
act, the Commission shall consult	act, the Commission shall consult act, the Commission shall consult	
experts designated by each	experts designated by each experts designated by each	
Member State in accordance with	Member State in accordance with Member State in accordance with	
the principles laid down in the	the principles laid down in the the principles laid down in the	
Interinstitutional Agreement on	Interinstitutional Agreement on Interinstitutional Agreement on	
Better Law-Making of 13 April	Better Law-Making of 13 April Better Law-Making of 13 April	
2016.	2016.	
5. As soon as it adopts a	5. As soon as it adopts a 5. As soon as it adopts a	977
delegated act, the Commission	delegated act, the Commission delegated act, the Commission	
shall notify it simultaneously to	shall notify it simultaneously to shall notify it simultaneously to	
the European Parliament and to	the European Parliament and to the European Parliament and to	
the Council.	the Council. the Council.	
6. A delegated act adopted	6. A delegated act adopted 6. A delegated act adopted	978
pursuant to Articles 52 and 101	pursuant to Articles 52 and 101 pursuant to Articles 52 and 101	
shall enter into force only if no	shall enter into force only if no shall enter into force only if no	
objection has been expressed	objection has been expressed objection has been expressed	
either by the European	either by the European either by the European	
Parliament or by the Council	Parliament or by the Council Parliament or by the Council	
within a period of two months of	within a period of two months of within a period of two months of	
notification of that act to the	notification of that act to the notification of that act to the	
European Parliament and to the	European Parliament and to the European Parliament and to the	
Council or if, before the expiry of	Council or if, before the expiry of Council or if, before the expiry of	
that period, the European	that period, the European that period, the European	
Parliament and the Council have	Parliament and the Council have Parliament and the Council have	
both informed the Commission	both informed the Commission both informed the Commission	
that they will not object. That	that they will not object. That they will not object. That	
period shall be extended by two	period shall be extended by two period shall be extended by two	
months at the initiative of the	months at the initiative of the months at the initiative of the	
European Parliament or of the	European Parliament or of the European Parliament or of the	
Council.	Council. Council.	
Article 106	Article 106 Article 106	979

Urgency procedure	Urgency procedure	Urgency procedure	980
1. A delegated act adopted under	1. A delegated act Delegated acts	1. Delegated acts adopted under	981
the urgency procedure shall enter	adopted under the urgency	this Article shall enter into force	
into force without delay and	procedure this Article shall enter	without delay and shall apply as	
apply as long as no objection is	into force without delay and shall	long as no objection is expressed	
expressed in accordance with	apply as long as no objection is	in accordance with paragraph 2.	
paragraph 2. The notification of	expressed in accordance with	The notification of the act to the	
the act to the European	paragraph 2. The notification of	European Parliament and to the	
Parliament and to the Council	the act to the European	Council shall state the reasons for	
shall state the reasons for the use	Parliament and to the Council	the use of the urgency procedure.	
of the urgency procedure.	shall state the reasons for the use		
	of the urgency procedure.		
2. The European Parliament and	2. The Either the European	2. Either the European Parliament	982
the Council may object to the	Parliament and or the Council	or the Council may object to a	
delegated act within a period of	may object to the <u>a</u> delegated act	delegated act in accordance with	
[six weeks] from the date of	within a period of [six weeks]	the procedure referred to in	
notification. In such a case, the	from in accordance with the date	Article 105 (6). In such a case,	
act shall cease to be applicable.	of notification procedure	the Commission shall repeal the	
The institution which objects	referred to in Article 105 (6). In	act immediately following the	
shall state the reasons for	such a case, the act Commission	notification of the decision to	
objecting to the delegated act.	shall cease to be applicable. The	object by the European	
	institution which objects shall	Parliament or by the Council.	
	state the reasons for objecting		
	repeal the act immediately		
	<u>following the notification of the</u>		
	<u>decision</u> to the delegated act		
	object by the European		
	Parliament or by the Council.		

Article 107 Article 107 Article 107 983	Committee procedure	Committee procedure	Committee procedure	984
		Article 107	Article III/	983

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	AMD 221 1. The Commission shall be assisted by a committee, which meets in specific configurations/ subcommittees dedicated to each main components of the Programme (Galileo and EGNOS, Copernicus, SSA, GOVSATCOM). That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	985
		The Committee shall meet in specific different configurations as follows: a) Galileo and EGNOS;	The Committee shall meet in specific different configurations as follows: a) Galileo and EGNOS;	985a 985b
		b) Copernicus;	b) Copernicus;	985c
		c) SSA;	c) SSA;	985d
		d) Govsatcom;	d) Govsatcom	985e

e) Security configuration: all security aspects of the Programme, without prejudice to the role of the SAB. Representatives of the Council, EEAS, ESA and the Agency may be invited to participate as observers. (*)

(*) A declaration of the Council and the Commission on the implementation of Article 107 in respect of the security aspects of the programme should be added to the Regulation and could be drafted as follows: "The Council and the Commission emphasise that, due to the sensitivity of the security aspects of the programme and in accordance with Article *3(4) and Article 6(2) of Regulation* (EU) No 182/2011, it is particularly important that the chair of the Programme Committee meeting in the Security configuration makes every effort to find solutions which command the widest possible support within the committee or the appeal committee when considering the adoption of draft implementing acts concerning the security aspects of

e) Security configuration: all security aspects of the Programme, without prejudice to the role of the SAB.

Representatives of ESA and the Agency may be invited to participate as observers. The European External Action Service shall also be invited to assist.

985f

(*) A declaration of the Council and the Commission on the implementation of Article 107 in respect of the security aspects of the programme should be added to the Regulation and could be drafted as follows: "The Council and the Commission emphasise that, due to the sensitivity of the security aspects of the programme and in accordance with Article 3(4) and Article 6(2) of Regulation (EU) No 182/2011, it is particularly important that the chair of the Programme Committee meeting in the Security configuration makes every effort to find solutions which command the widest possible support within the

	.1 "	1	
	the programme."	committee or the appeal	
		committee when considering the	
		adoption of draft implementing	
		acts concerning the security	
		aspects of the programme."	
	f) Horizontal configuration:	f) Horizontal configuration:	985g
	Strategic overview of the	Strategic overview of the	
	implementation of the	implementation of the	
	programme, coherence across	programme, coherence across the	
	the different components of the	different components of the	
	programme, cross-cutting	programme, cross-cutting	
	measures and budget	measures and budget reallocation	
	reallocation as referred to in	as referred to in Article 11;	
	Article 11;	as referred to in rancie 11,	
	1a. The Programme	1a. The Programme Committee	985h
	Committee shall, in accordance	shall, in accordance with its rules	70311
	with its rules of procedure, set	of procedure, set up the "User	
	up the "User Forum", as a	Forum", as a working group to	
	working group to advise the	advise the Programme Committee	
	Programme Committee on user	on user requirements aspects,	
	requirements aspects, evolution	evolution of the services and user	
	of the services and user uptake.	uptake. The User Forum shall	
	The User Forum shall aim to	aim to guarantee a continuous	
	guarantee a continuous and	and effective involvement of	
	effective involvement of users	users and meet in specific	
	and meet in specific	configurations for each	
	configurations for each	component of the programme.	
	component of the programme.		
2. Where reference is made to	2. Where reference is made to	2. Where reference is made to	986
this paragraph, Article 4 of	this paragraph, Article 4 of	this paragraph, Article 4 of	
Regulation (EU) No 182/2011	Regulation (EU) No 182/2011	Regulation (EU) No 182/2011	
shall apply.	shall apply.	shall apply.	
whi.i.	appij.	Same apply:	

3. Where reference is made to		3. Where reference is made to	3. Where reference is made to	987
this paragraph, Article 5 of		this paragraph, Article 5 of	this paragraph, Article 5 of	
Regulation (EU) No 182/2011		Regulation (EU) No 182/2011	Regulation (EU) No 182/2011	
shall apply.		shall apply.	shall apply.	
		4. Where the Programme	4. Where the Programme	987a
		committee delivers no opinion	committee delivers no opinion on	
		on the draft implementing act	the draft implementing act	
		referred to in Article 34(1) of	referred to in Article 34(1) of this	
		this Regulation, the	Regulation, the Commission shall	
		Commission shall not adopt the	not adopt the draft implementing	
		draft implementing act and the	act and the third subparagraph of	
		third subparagraph of Article	Article 5(4) of Regulation (EU)	
		5(4) of Regulation (EU) No	No 182/2011 shall apply.	
		182/2011 shall apply.		
	AMD 222		4. In accordance with	987b
	3a. International agreements		international agreements	
	concluded by the Union may		concluded by the Union,	
	provide for the involvement, as		representatives of third countries	
	appropriate, of representatives of		or international organisations	
	third countries or international		may be invited as observers in the	
	organisations in the work of the		meetings of the Committee under	
	Committee under the conditions		the conditions laid down in the	
	laid down in its rules of		rules of procedure of that	
	procedures, taking into account		Committee, taking into account	
	the security of the Union.		the security of the Union.	

TITLE XII	TITLE XII	TITLE XII	988
TRANSITIONAL AND FINAL	TRANSITIONAL AND FINAL	TRANSITIONAL AND FINAL	989
PROVISIONS	PROVISIONS	PROVISIONS	
Article 108	Article 108	Article 108	990
Information, communication	Information, communication	Information, communication	991
and publicity	and publicity	and publicity	
1. The recipients of Union	1. The recipients of Union	1. The recipients of Union	992
funding shall acknowledge the	funding shall acknowledge the	funding shall acknowledge the	
origin and ensure the visibility of	origin and ensure the visibility of	origin and ensure the visibility of	
the Union funding (in particular	the Union funding (in particular	the Union funding (in particular	
when promoting the actions and	when promoting the actions and	when promoting the actions and	
their results) by providing	their results) by providing	their results) by providing	
coherent, effective and	coherent, effective and	coherent, effective and	
proportionate targeted	proportionate targeted	proportionate targeted	
information to multiple	information to multiple	information to multiple	
audiences, including the media	audiences, including the media	audiences, including the media	
and the public.	and the public.	and the public.	
2. The Commission shall	2. The Commission shall	2. The Commission shall	993
implement information and	implement information and	implement information and	
communication actions relating to	communication actions relating to	communication actions relating to	
the Programme, and its actions	the Programme, and its actions	the Programme, and its actions	
and results. Financial resources	and results. Financial resources	and results. Financial resources	
allocated to the Programme shall	allocated to the Programme shall	allocated to the Programme shall	
also contribute to the corporate	also contribute to the corporate	also contribute to the corporate	
communication of the political	communication of the political	communication of the political	
priorities of the Union, as far as	priorities of the Union, as far as	priorities of the Union, as far as	
they are related to the objectives	they are related to the objectives	they are related to the objectives	
referred to in Article 4.	referred to in Article 4.	referred to in Article 4.	

3. The Agency may engage in communication activities on its own initiative within its field of competence. The allocation of resources to communication activities shall not be detrimental to the effective exercise of the	3. The Agency may engage in communication activities on its own initiative within its field of competence. The allocation of resources to communication activities shall not be detrimental to the effective exercise of the	3. The Agency may engage in communication activities on its own initiative within its field of competence. The allocation of resources to communication activities shall not be detrimental to the effective exercise of the	994
tasks referred to in Article 30. Communication activities shall be carried out in accordance with relevant communication and dissemination plans adopted by the Administrative Board.	tasks referred to in Article 30. Communication Such communication activities shall be carried out in accordance with relevant communication and dissemination plans adopted by the Administrative Board.	tasks referred to in Article 30. Such communication activities shall be carried out in accordance with relevant communication and dissemination plans adopted by the Administrative Board.	
Article 109	Article 109	Article 109	995
Repeals	Repeals	Repeals	996
1. Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU are repealed with effect from 1 January 2021.	1. Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU are repealed with effect from 1 January 2021.	1. Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU are repealed with effect from 1 January 2021.	997
2. References to the repealed acts	2. References to the repealed acts	2. References to the repealed acts	998
shall be construed as references	shall be construed as references	shall be construed as references	
to this Regulation.	to this Regulation.	to this Regulation.	

Article 110	Article 110	Article 110	999
Transitional provisions and	Transitional provisions and	Transitional provisions and	1000
continuity of services after 2027	continuity of services after 2027	continuity of services after 2027	
1. This Regulation shall not affect	1. This Regulation shall not affect	1. This Regulation shall not affect	1001
the continuation or modification	the continuation or modification	the continuation or modification	
of the actions concerned, until	of the actions concerned, until	of the actions concerned, until	
their closure, under Regulation	their closure, under Regulation	their closure, under Regulation	
(EU) No 377/2014, 1285/2013	(EU) No 377/2014, 1285/2013	(EU) No 377/2014, 1285/2013	
and 912/2010 and on the basis of	and 912/2010 and on the basis of	and 912/2010 and on the basis of	
Decision No 541/2014/EU, which	Decision No 541/2014/EU, which	Decision No 541/2014/EU, which	
shall continue to apply to the	shall continue to apply to the	shall continue to apply to the	
actions concerned until their	actions concerned until their	actions concerned until their	
closure. In particular, the	closure. In particular, the	closure. In particular, the	
Consortium established under	Consortium established under	Consortium established under	
Article 7 paragraph 3 of Decision	Article 7 paragraph 3 of Decision	Article 7 paragraph 3 of Decision	
541/2014/EU shall provide SST	541/2014/EU shall provide SST	541/2014/EU shall provide SST	
Services until 3 months after the	Services until 3 months after the	Services until 3 months after the	
signature by the Constituting	signature by the Constituting	signature by the Constituting	
National Entities of the	National Entities of the	National Entities of the	
agreement creating the SST	agreement creating the SST	agreement creating the SST	
partnership provided in Article	partnership provided in Article	partnership provided in Article	
57.	57.	57.	
2. The financial envelope for the	2. The financial envelope for the	2. The financial envelope for the	1002
Programme may also cover	Programme may also cover	Programme may also cover	
technical and administrative	technical and administrative	technical and administrative	
assistance expenses necessary to	assistance expenses necessary to	assistance expenses necessary to	
ensure the transition between the	ensure the transition between the	ensure the transition between the	
Programme and the measures	Programme and the measures	Programme and the measures	
adopted under Regulation Nos	adopted under Regulation Nos	adopted under Regulation Nos	
377/2014 and 1285/2013 and on	377/2014 and 1285/2013 and on	377/2014 and 1285/2013 and on	
the basis of Decision No	the basis of Decision No	the basis of Decision No	
541/2014/EU.	541/2014/EU.	541/2014/EU.	

2 16	2 If	2 16	1002
3. If necessary, appropriations	3. If necessary, appropriations	3. If necessary, appropriations	1003
may be entered in the budget	may be entered in the budget	may be entered in the budget	
beyond 2027 to cover the	beyond 2027 to cover the	beyond 2027 to cover the	
expenses provided for in Article	expenses necessary to fulfill the	expenses necessary to fulfill the	
4(4), to enable the management	objectives provided for in Article	objectives provided for in Article	
of actions not completed by 31	4(4), to enable the management	4, to enable the management of	
December 2027.	of actions not completed by 31	actions not completed by 31	
	December 2027.	December 2027.	
Article 111	Article 111	Article 111	1004
Entry into force and	Entry into force and	Entry into force and	1005
application	application	application	
This Regulation shall enter into	This Regulation shall enter into	This Regulation shall enter into	1006
force on the twentieth day	force on the twentieth day	force on the twentieth day	
following that of its publication	following that of its publication	following that of its publication	
in the Official Journal of the	in the Official Journal of the	in the Official Journal of the	
European Union.	European Union.	European Union.	
[It shall apply from 1st January	[It shall apply from 1st January	[It shall apply from 1st January	1007
2021.]	2021.]	2021.]	
This Regulation shall be binding	This Regulation shall be binding	This Regulation shall be binding	1008
in its entirety and directly	in its entirety and directly	in its entirety and directly	
applicable in all Member States.	applicable in all Member States.	applicable in all Member States.	

INDICATORS FOR THE EVALUATION OF THE PROGRAMME	KEY INDICATORS FOR THE EVALUATION OF THE PROGRAMME	KEY INDICATORS	1009
The Programme will be monitored closely on the basis of a set of indicators intended to measure the extent to which the specific objectives of the Programme have been achieved and with a view to minimising administrative burdens and costs. To that end, data will be collected as regards the following set of key indicators:	The Programme will be monitored closely on the basis of a set of Key indicators intended to measure shall structure the extent to which the specific monitoring of the programe performance towards its objectives of the Programme have been achieved and referred to in Article 4, with a view to minimising administrative burdens and costs.	Key indicators shall structure the monitoring of the programe performance towards its objectives referred to in Article 4, with a view to minimising administrative burdens and costs.	1010
	1. To that end, for annual reporting, data will shall be collected as regards the following set of key indicators for which implementation details, like metrics, figures and associated nominal values and thresholds (including quantitative and qualitative cases) according to applicable mission requirements and expected performance, shall be defined in the agreements established with the entrusted entities:	1. To that end, for annual reporting, data shall be collected as regards the following set of key indicators for which implementation details, like metrics, figures and associated nominal values and thresholds (including quantitative and qualitative cases) according to applicable mission requirements and expected performance, shall be defined in the agreements established with the entrusted entities:	1010a

Indicators should be linked to the	Indicators should be linked to the	Deletion OK	1011
specific objectives but without	specific objectives but without		
repeating them to avoid	repeating them to avoid		
incoherence.	incoherence.		
Specific Objective 1: to provide	Specific Objective 4 referred to	Specific Objective referred to in	1012
of state-of-the-art and, where	in Article 4(2)(a): to provide of	Article 4(2)(a)	
appropriate, secure positioning,	state of the art and, where		
navigation and timing services;	appropriate, secure positioning,		
	navigation and timing services;		
Indicator 1: Accuracy of the	Indicator 1: Accuracy of the	Indicator 1: Accuracy of	1013
signal (GNSS)	signal (GNSS) of navigation and	navigation and timing services	
	timing services provided by	provided by Galileo and EGNOS	
	Galileo and EGNOS separately	separately	
	Indicator 2: Availability and	Indicator 2: Availability and	1013a
	continuity of services provided	continuity of services provided	
	by Galileo and EGNOS	by Galileo and EGNOS	
	<u>separately</u>	separately	
	Indicator 3: EGNOS services	Indicator 3: EGNOS services	1013b
	geographical coverage and	geographical coverage and	
	number of EGNOS procedures	number of EGNOS procedures	
	published (both APV-I and	published (both APV-I and LPV-	
	<u>LPV-200)</u>	200)	
	Indicator 4: EU user	Indicator 4: EU user satisfaction	1013c
	satisfaction with respect to	with respect to Galileo and	
	Galileo and EGNOS services	EGNOS services	

	Indicator 5: Share of Galileo	Indicator 5: Share of Galileo and	1013d
	and EGNOS enabled receivers	EGNOS enabled receivers in the	
	in the worldwide and the EU	worldwide and the EU Global	
	Global Navigation Satellite	Navigation Satellite Systems/	
	Systems/ Satellite Based	Satellite Based Augmentation	
	Augmentation System	System (GNSS/SBAS) receivers	
	(GNSS/SBAS) receivers	market.	
	market.		
Specific Objective 2: to deliver	Specific Objective 2-referred to	Specific Objective referred to in	1014
accurate and reliable Earth	in Article 4(2)(b): to deliver	Article 4(2)(b)	
Observation data and information	accurate and reliable Earth		
to support the implementation	Observation data and information		
and monitoring of policies of the	to support the implementation		
Union and its Member States in	and monitoring of policies of the		
the fields of the environment,	Union and its Member States in		
climate change, agriculture and	the fields of the environment,		
rural development, civil	climate change, agriculture and		
protection, safety and security, as	rural development, civil		
well as the digital economy;	protection, safety and security, as		
	well as the digital economy;		
Indicator 1: Number of users of	Indicator 1: Number of EU users	Indicator 1: Number of EU users	1015
Copernicus	of Copernicus Services,	of Copernicus Services,	
	Copernicus data, and Data and	Copernicus data, and Data and	
	Information Access Systems	Information Access Systems	
	(DIAS) providing, where	(DIAS) providing, where	
	possible, information such as	possible, information such as the	
	the type of user, geographical	type of user, geographical	
	distribution and sector of	distribution and sector of activity	
	activity		

	Indicator 1a: Where applicable, number of activations of Copernicus Services requested and/or served	Indicator 1a: Where applicable, number of activations of Copernicus Services requested and/or served	1015a
	Indicator 1b: EU User satisfaction with respect to Copernicus Services and DIAS	Indicator 1b: EU User satisfaction with respect to Copernicus Services and DIAS	1015b
	Indicator 1c: Reliability, availability and continuity of the Copernicus Services and Copernicus data stream	Indicator 1c: Reliability, availability and continuity of the Copernicus Services and Copernicus data stream	1015c
Indicator 2: Addition of new services of Copernicus	Indicator 2: Number of new information products delivered in the portfolio of each Copernicus Service Addition of new services of Copernicus	Indicator 2: Number of new information products delivered in the portfolio of each Copernicus Service	1016
	Indicator 3: Amount of data generated by the Sentinels	Indicator 3: Amount of data generated by the Sentinels	1016a
Specific Objective 3: to enhance SST capabilities to monitor, track and identify space objects, to monitor space weather and to map and network Union NEO capacities	Specific Objective 3: referred to in Article 4(2)(c) to enhance SST capabilities to monitor, track and identify space objects, to monitor space weather and to map and network Union NEO capacities	Specific Objective referred to in Article 4(2)(c)	1017

Indicator 1: Number of users of	Indicator 1: Number of users of	Indicator 1: Number of users of	1018
SSA components	SSA components providing ,	SSA components providing,	
	where possible, information	where possible, information such	
	such as the type of user,	as the type of user, geographical	
	geographical distribution and	distribution and sector of activity	
	sector of activity		
Indicator 2: Availability of	Indicator 2: Availability of	Indicator 2: Availability of	1019
Services	Services	Services	
Specific Objective 4: to ensure	Specific Objective 4-referred to	Specific Objective referred to in	1019a
the long-term availability of	in Article 4(2)(d) to ensure the	Article 4(2)(d)	
reliable, secure and cost-effective	long-term availability of reliable,		
satellite communications services	secure and cost-effective satellite		
with an appropriate guarantee of	communications services with an		
access and robustness to	appropriate guarantee of access		
withstand ill-intentioned acts	and robustness to withstand ill-		
	intentioned acts		
Indicator 1: Number of users of	Indicator 1: Number of <u>EU</u> users	Indicator 1: Number of EU users	1020
GOVSATCOM	of GOVSATCOM providing,	of GOVSATCOM providing,	
	where possible, information	where possible, information such	
	such as the type of user,	as the type of user, geographical	
	geographical distribution and	distribution and sector of activity	
	sector of activity		
Indicator 2: Availability of	Indicator 2: Availability of	Indicator 2: Availability of	1021
Services	Services	Services	
Specific Objective 5: to	Specific Objective 5 referred to	Specific Objective referred to in	1022
contribute to an autonomous,	in Article 4(2)(e): to contribute	Article 4(2)(e)	
secure and cost-efficient	to an autonomous, secure and		
capability to access space	cost-efficient capability to access		
	space		

Indicator 1: Number of launches	Indicator 1: Number of launches	nes 1023
for EU Space actions	for EU Space actions the for the Programme (including	
	Programme (including numbers by type of launchers))
	<u>numbers by type of launchers)</u>	
Specific Objective 6: for the	Specific Objective 6: referred to Specific Objective referred to	in 1024
actions in support of the space	in Article 4(2)(f) for the actions Article 4(2)(f)	
sector: support and reinforce the	in support of the space sector:	
competitiveness,	support and reinforce the	
entrepreneurship, skills and	competitiveness,	
capacity to innovate of legal and	entrepreneurship, skills and	
natural persons from the Union	capacity to innovate of legal and	
active or wishing to become	natural persons from the Union	
active in that sector, with	active or wishing to become	
particular regard to the position	active in that sector, with	
and needs of small and medium-	particular regard to the position	
sized enterprises and start-ups.	and needs of small and medium-	
	sized enterprises and start-ups	
Indicator 1: Growth in the	Indicator 1: Growth in the Indicator 1: Number and locat	ion 1025
downstream sector related to the	downstream sector related to the of space hubs in the Union	
Space actions	Space actions Number and	
	<u>location of space hubs in the</u>	
	<u>Union</u>	
	<u>Indicator 2: Share of SMEs</u> Indicator 2: Share of SMEs	1025a
	established in the EU as a established in the EU as a	
	proportion of the total value of proportion of the total value o	f
	the contracts relating to the the contracts relating to the	
	programme programme	

	O FFI 1 1 1 0 1	10051
2. The evaluation referred	2. The evaluation referred to	1025b
to in Article 102 shall take into	in Article 102 shall take into	
account additional elements	account additional elements such	
such as:	as:	
a) Performance of	a) Performance of competitors	1025c
<u>competitors in the areas of</u>	in the areas of navigation and	
navigation and Earth	Earth Observation	
<u>Observation</u>		
b) User uptake of Galileo	b) User uptake of Galileo and	1025d
and EGNOS services	EGNOS services	
c) Integrity of EGNOS	c) Integrity of EGNOS	1025e
<u>services</u>	services	
d) Uptake of Copernicus	d) Uptake of Copernicus	1025f
services by Copernicus core	services by Copernicus core users	
<u>users</u>		
e) Number of Union or	e) Number of Union or	1025g
Member State policies	Member State policies exploiting	
exploiting or benefiting from	or benefiting from Copernicus	
<u>Copernicus</u>		
<u>f)</u> Analysis of the autonomy	f) Analysis of the autonomy	1025h
of the SST component and of	of the SST component and of the	
the level of independence of the	level of independence of the EU	
EU in this area	in this area	
g) State-of-play of	g) State-of-play of networking	1025i
networking for NEO activities	for NEO activities	
h) Assessment of Govsatcom	h) Assessment of Govsatcom	1025j
capacities as regards user needs	capacities as regards user needs	
as referred to in Articles 68 and	as referred to in Articles 68 and	
69	69	

i) User satisfaction of the	i) User satisfaction of the	1025k
SSA and Govsatcom services	SSA and Govsatcom services	
j) Share of Ariane and Vega	j) Share of Ariane and Vega	10251
launches in the total market	launches in the total market based	
based on publicly available	on publicly available data	
data		
k) Development of the	k) Development of the	1025m
downstream sector measured,	downstream sector measured,	
when available, by the number	•	
	•	
	The state of the s	
	•	
1) Development of the EU	1) Development of the EU	1025n
	· · ·	
	, ,	
·		
	when available	
available		
	j) Share of Ariane and Vega launches in the total market based on publicly available data k) Development of the downstream sector measured, when available, by the number of new companies using EU space data, information and services, jobs created and turnover, by Member State, using Eurostat surveys when available l) Development of the EU Space upstream sector measured, when available, by number of jobs created and turnover by Member State and the global market share of European space industry, using Eurostat surveys when	SSA and Govsatcom services j) Share of Ariane and Vega launches in the total market based on publicly available data