



TEXTS ADOPTED

P10_TA(2025)0306

Harmonised requirements in the internal market on transparency of third countries interest representation

Amendments adopted by the European Parliament on 27 November 2025 on the proposal for a directive of the European Parliament and of the Council establishing harmonised requirements in the internal market on transparency of interest representation carried out on behalf of third countries and amending Directive (EU) 2019/1937 (COM(2023)0637 - C9-0464/2023 - 2023/0463(COD))¹

(Ordinary legislative procedure: first reading)

Amendment 1

Proposal for a directive

Recital 1

Text proposed by the Commission

(1) Interest representation in the Union is a growing and increasingly cross-border activity. When carried out with the necessary level of transparency, such activities allow sharing of experiences and views about problems and solutions, **supporting** public decision-makers **in understanding** the options and trade-offs of different approaches.

Amendment

(1) Interest representation in the Union is a growing and increasingly cross-border activity. When carried out with the necessary level of transparency, such activities allow sharing of experiences and views about problems and solutions **concerning matters affected by a policy, law or public decision-making process. This exchange may constitute a crucial resource for public decision-makers, enabling them to understand** the options and

¹ The matter was referred back for interinstitutional negotiations to the committee responsible, pursuant to Rule 60(4), fourth subparagraph (A10-0208/2025).

trade-offs of different approaches.

Amendment 2

Proposal for a directive Recital 2

Text proposed by the Commission

(2) Interest representation is not only carried out on behalf of domestic stakeholders but increasingly also by third countries. Ideas from third countries can contribute positively to public debate and are a welcome part of international engagement.

However, it is not always easy for public officials or individuals to recognise the involvement of third countries in interest representation activities in the context of their decision-making process, or understand the magnitude, trends and actors behind such activities. Third countries should be understood as countries that are not members of the Union or the European Economic Area.

Amendment

(2) Interest representation is not only carried out on behalf of domestic stakeholders but increasingly also by third countries. Ideas from third countries can contribute positively to public debate and are a welcome part of international engagement. Third countries should be understood as countries that are not members of the Union or the European Economic Area.

Amendment 3

Proposal for a directive Recital 3

Text proposed by the Commission

(3) To the extent that it is normally provided against remuneration, interest representation, ***including interest representation provided to third countries,*** constitutes a service within the meaning of Article 57 of the

Amendment

(3) To the extent that it is normally provided against remuneration, interest representation constitutes a service within the meaning of Article 57 of the Treaty on the Functioning of the European Union ('TFEU'). The market for

Treaty on the Functioning of the European Union ('TFEU'). The market for interest representation also includes interest representation activities carried out by third country entities themselves in a way that is comparable to services and are linked to or substitute activities of an economic nature. These activities should be treated in the same way as interest representation services.

Amendment 4

Proposal for a directive Recital 5

Text proposed by the Commission

(5) Member States' measures regulating transparency of interest representation activities are **very divergent**, in particular concerning the record-keeping and registration requirements which apply to entities carrying out interest representation. Some Member States have established mandatory registers aiming, in particular, at ensuring transparency. Others have established voluntary registers, whereas some Member States have no registers for interest representation. There are also considerable variations regarding the **granularity of the** information provided for transparency purposes, including the type of information required, for instance about the interests represented or about the client. In some Member States information about interest representation must be updated on a regular basis whereas in

interest representation also includes interest representation activities carried out by third country entities themselves in a way that is comparable to services and are linked to or substitute activities of an economic nature. These activities should be treated in the same way as interest representation services.

Amendment

(5) Member States' measures regulating transparency of interest representation activities are **different from one another**, in particular concerning the record-keeping and registration requirements which apply to entities carrying out interest representation. Some Member States have established mandatory registers aiming, in particular, at ensuring transparency. Others have established voluntary registers, whereas some Member States have no registers for interest representation. There are also considerable variations regarding the information provided for transparency purposes, including the type of information required, for instance about the interests represented or about the client. In some Member States information about interest representation must be updated on a regular basis whereas in

others the information must be updated every time there is a change in the scope of the interest representation activity carried out.

Amendment 5

Proposal for a directive Recital 6

Text proposed by the Commission

(6) ***Such divergences*** create an uneven playing field and increase compliance costs for entities seeking to carry out interest representation activities in more than one Member State, ***which may deter*** the development and provision of new interest representation activities in the internal market. ***Third countries are likely to seek interest representation in more than one Member State in order to ensure an overall positive policy in their favour across the Union.*** Such conditions negatively impact economic operators and constitute obstacles to the provision of cross-border interest representation within the internal market. This uneven playing field also directs cross-border interest representation activities away from more regulated Member States towards less regulated ones ***or where enforcement is limited.*** Such regulatory arbitrage also presents an opportunity for third-country actors seeking to evade transparency requirements.

others the information must be updated every time there is a change in the scope of the interest representation activity carried out.

Amendment

(6) ***Even if such measures share the common goal of enhancing transparency and ensure democratic accountability, those differences*** create an uneven playing field and increase compliance costs for entities seeking to carry out interest representation activities in more than one Member State, ***thus deterring*** the development and provision of new interest representation activities in the internal market. Such conditions negatively impact economic operators and constitute obstacles to the provision of cross-border interest representation within the internal market, ***in particular, on behalf of third countries, which might be likely to seek interest representation in more than one Member State.*** This uneven playing field also directs cross-border interest representation activities away from more regulated Member States towards less regulated ones, ***leading to venue shopping. Smaller service providers are particularly challenged by the burdens of addressing different rules set***

out by different regulations at national level, and therefore particularly affected by this uneven playing field. Such regulatory arbitrage also presents an opportunity for third-country actors seeking to evade transparency requirements. ***It is essential, therefore, to streamline the rules governing the single market for the interest representation sector in particular with the aim of eliminating unjustified barriers and creating a level playing field in the Union, for the benefit of citizens and of entities that respect the rules.***

Amendment 6

Proposal for a directive Recital 7

Text proposed by the Commission

(7) In the context of an increased awareness of attempts by certain third countries to influence democratic processes in the Union, some Member States are likely to develop new rules to ensure transparency of ***foreign influence exerted through*** interest representation. The obstacles to the provision of such services in more than one Member State created by the fragmentation of the internal market for interest representation activities carried out on behalf of third countries are therefore likely to increase.

Amendment

(7) In the context of an increased awareness of attempts by certain third countries to influence democratic processes in the Union, some Member States are likely to develop new rules to ensure transparency of interest representation. The obstacles to the provision of such services in more than one Member State created by the fragmentation of the internal market for interest representation activities carried out on behalf of third countries are therefore likely to increase.

Amendment 7

Proposal for a directive
Recital 8

Text proposed by the Commission

(8) The existing national ***divergences in the*** measures regulating transparency of interest representation, ***affecting especially*** interest representation carried out on behalf of third countries, and the current context of increased awareness of the risks of ***foreign*** interference in democratic processes, highlight the need to act at Union level to regulate the provision of interest representation services and engage in interest representation activities carried out on behalf of third countries across the Union, while ensuring a high level of transparency of such activities.

Amendment

(8) The existing ***differences among*** national measures regulating ***the*** transparency of interest representation, ***which affect*** interest representation carried out on behalf of third countries, and the current context of increased awareness of the risks of interference in democratic processes, highlight the need to act at Union level to regulate the provision of interest representation services and engage in interest representation activities carried out on behalf of third countries across the Union, while ensuring a high level of transparency of such activities.

Amendment 8

Proposal for a directive
Recital 9

Text proposed by the Commission

(9) To avoid a situation where Member States seek to unilaterally address their concerns regarding transparency of foreign influence exerted through interest representation and to prevent the emergence of additional obstacles to the provision of cross-border interest representation activities carried out on behalf of third countries resulting from divergent and inconsistent development of national laws, it is necessary

Amendment

deleted

to provide for harmonised measures at Union level.

Amendment 9

Proposal for a directive Recital 10

Text proposed by the Commission

(10) By providing harmonised transparency requirements applicable across the internal market, this Directive aims to establish a coherent ***and systematic*** framework to ensure transparency as regards interest representation activities conducted on behalf of third countries with the objective of influencing the development, formulation or implementation of policy ***or*** legislation, or public decision-making processes, in the Union.

Amendment

(10) By providing harmonised ***minimum*** transparency requirements applicable across the internal market, this Directive aims to establish a coherent framework to ensure transparency as regards interest representation activities conducted on behalf of third countries with the objective of influencing the development, formulation or implementation of policy, legislation, or public decision-making processes, in the Union.

Amendment 10

Proposal for a directive Recital 11

Text proposed by the Commission

(11) Providing common transparency and accountability standards and common reporting standards also ***support*** democratic accountability and a better common knowledge of interest representation activities ***conducted with the objective of influencing the development, formulation or implementation of policy or legislation, or public decision-making processes, in the Union, addressing the need for***

Amendment

(11) Providing common transparency and accountability standards and common reporting standards also ***addresses the need for reliable and consistent data, and in this way supports*** democratic accountability and a better common knowledge of interest representation activities. The need to ensure transparency of interest representation activities carried out on behalf of third countries is a legitimate public

reliable and consistent data.

The need to ensure transparency of interest representation activities carried out on behalf of third countries is a legitimate public goal, in the light of the principles of openness and transparency which must guide the democratic life of the Union in accordance with the second paragraph of Article 1 and Article 10(3) of the Treaty on the European Union ('TEU'), in conformity with the values shared by the Union and its Member States pursuant to Article 2 TEU, also supporting the exercise of citizenship rights.

goal, in the light of the principles of openness and transparency which must guide the democratic life of the Union in accordance with the second paragraph of Article 1 and Article 10(3) of the Treaty on the European Union ('TEU'), in conformity with the values shared by the Union and its Member States pursuant to Article 2 TEU, also supporting the exercise of citizenship rights.

Amendment 11

**Proposal for a directive
Recital 11 a (new)**

Text proposed by the Commission

Amendment

(11a) Proportionate and targeted measures seeking to ensure a harmonised, transparent and more predictable legal environment for interest representation activities on behalf of third countries would benefit the entities involved, decision-makers and citizens. To that end, strong safeguards should be put in place to prevent potential negative impacts on the entities concerned, whilst ensuring full respect for fundamental rights and democratic principles and values.

Amendment 12

Proposal for a directive
Recital 11 b (new)

Text proposed by the Commission

Amendment

(11b) Certain other countries have taken a different approach to that of the Union, which the Union has consistently condemned as disproportionate, discriminatory and unjustified. That approach consists of adopting laws that unduly restrict civic space by intimidating and stigmatising civil society organisations, journalists and human rights defenders in an attempt to curtail their activities. The labelling of targeted organisations as ‘foreign agent’ under such laws seeks to undermine their financial stability and credibility. In contrast to such ‘foreign agent laws’, this Directive does not negatively label the activities of specific entities, including civil society organisations, nor does it seek to limit civic space. Instead, it provides for transparency and democratic accountability requirements applicable to entities carrying out interest representation activities on behalf of third countries. Furthermore, this Directive does not ban any type of activity or require transparency of funding that is unrelated to interest representation activities carried out on behalf of third countries. This Directive therefore does not cover entities that receive financial support from other Member States, or from third country

entities for purposes unrelated to interest representation activities within the meaning of this Directive.

Amendment 13

Proposal for a directive Recital 11 c (new)

Text proposed by the Commission

Amendment

(11c) The measures set out in this Directive are proportionate and limited to what is necessary to ensure transparency of interest representation activities carried out on behalf of third countries. They do not impose, therefore, requirements on entities merely because they receive funding from abroad. In view of the need to focus on increased transparency when entities carry out interest representation activities on behalf of third countries in the internal market, this Directive sets out obligations to ensure that the data made publicly available is presented in a factual and neutral way and that competent national authorities act in such a way that no adverse consequence, such as stigmatisation, arises from the fact that an entity has registered in accordance with the rules provided for by this Directive. The provisions of this Directive fully comply with fundamental rights and respect the principles recognised in particular by the Charter of Fundamental Rights of the European Union ('the Charter'), including the

freedom of expression and information, the freedom of assembly and association, the freedom of scientific research, including academic freedom, the right to the protection of personal data, the right to an effective remedy and the freedom to conduct a business. By achieving a common level of transparency in relation to interest representation carried out on behalf of a third country, the measures set out in this Directive strengthens the democratic rights of citizens, as enshrined in the Charter.

Amendment 14

Proposal for a directive Recital 12

Text proposed by the Commission

(12) Covert interest representation activities carried out on behalf of third countries are capable of affecting the development, formulation or implementation of the Union's internal and external policies, including regarding its economic and security interests. This affects democracy more generally, which is a common value of the Union, the securing of which is of fundamental importance to the Union and its Member States. Providing for a harmonised level of transparency across the Union regarding such activities should contribute to enhancing public trust in the Union's and Member States' decision-making processes.

Amendment

(12) Covert interest representation activities carried out on behalf of third countries are capable of affecting the development, formulation or implementation of the Union's ***and its Member States'*** internal and external policies, including regarding its economic and security interests. This affects democracy more generally, which is a common value of the Union, the securing of which is of fundamental importance to the Union and its Member States. Providing for a harmonised level of transparency across the Union regarding such activities should contribute to enhancing public trust in the Union's and Member States' decision-making processes.

Amendment 15

Proposal for a directive Recital 13

Text proposed by the Commission

Amendment

(13)While rules on openness and transparency of interest representation activities exist in certain third countries, these rules do not cover activities seeking to influence the development, formulation or implementation of policy or legislation, or public decision-making processes, in the Union. These rules are therefore not adequate to ensure the transparency of interest representation seeking to influence decision-making in the Union. **deleted**

Amendment 16

Proposal for a directive Recital 14

Text proposed by the Commission

Amendment

(14)The measures set out in this Directive are proportionate and limited to what is necessary to ensure transparency of a specific set of activities, namely interest representation activities carried out on behalf of third countries. They impose requirements related to those activities, and do not impose requirements on entities merely because they receive funding from abroad. This Directive focuses on increased **deleted**

transparency when entities carry out interest representation activities on behalf of third countries in the internal market. In particular, this Directive imposes obligations to ensure that the data made publicly available is presented in a factual and neutral way and to ensure that competent national authorities act in a way that no adverse consequence, such as stigmatisation, arises from the fact that an entity has registered in accordance with the provisions of this Directive. It provides for a comprehensive system of safeguards, including effective judicial review to ensure proportionality of the harmonised measures. The measures set out in this Directive are in full compliance with fundamental rights and observe the principles recognised in particular by the Charter of Fundamental Rights of the European Union ('the Charter'), including the freedom of expression and information, freedom of assembly and association, freedom of scientific research, including academic freedom, the right to the protection of personal data, the right to an effective remedy and the freedom to conduct a business. By achieving a common level of transparency in relation to interest representation carried out on behalf of a third country, the measures set out in this Directive strengthen citizens' democratic rights as referred

to in the Charter.

Amendment 17

Proposal for a directive Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) In order to avoid potential conflicts of interest and to further safeguard the integrity and impartiality of the development, formulation and implementation of policies, law or public decision-making processes in the Union, individuals who have exercised high-level public functions, including holding government office or a parliamentary mandate, should not engage in interest representation activities on behalf of third countries before a sufficient and appropriate cooling-off period has elapsed.

Amendment 18

Proposal for a directive Recital 15

Text proposed by the Commission

Amendment

(15) The harmonised transparency requirements of this Directive should not affect national rules on interest representation activities for entities other than third country entities, nor should they affect the substantive content of such activities nor the substantive rules applicable to public officials when they interact with entities

(15) The harmonised transparency requirements of this Directive should not affect national rules on interest representation activities for entities other than third country entities, nor should they affect the substantive content of such activities nor the substantive rules applicable to public officials when they interact with entities

carrying out interest representation activities. ***They should not affect rules applicable to criminal activities and their detection, investigation, prosecution supervision and sanctioning as established under national or Union law, such as those related to corruption.***

carrying out interest representation activities.

Amendment 19

Proposal for a directive Recital 16

Text proposed by the Commission

(16) In order to harmonise transparency requirements, it is necessary to provide for a common definition of interest representation. To ensure the correct application of the harmonised transparency requirements, the concept of interest representation activities should have a broad meaning. It should cover activities carried out with the objective of influencing the development, formulation or implementation of policy or legislation, or public decision-making processes, including by impacting public opinion, in the Union and its Member States, including at regional and local levels.

Amendment

(16) In order to harmonise ***minimum*** transparency requirements ***and ensure their correct application***, it is necessary to provide for a common ***and exhaustive*** definition of interest representation. To ensure the correct application of the harmonised transparency requirements, the concept of interest representation activities should have a broad meaning. It should cover activities carried out with the objective of influencing the development, formulation or implementation of policy or legislation, or public decision-making processes, including by impacting public opinion, in the Union and its Member States, including at regional and local levels.

Amendment 20

Proposal for a directive Recital 17

Text proposed by the Commission

(17) ***A clear and substantial link should exist between the activity and the likelihood that it would influence the development, formulation or implementation of policy or legislation, or public decision-making processes, in the Union.*** In order to determine the existence of ***such a link***, account should be taken of all relevant factors, such as the content of the activity, the context in which it is conducted, its objective, the means by which it is carried out, or whether the activity is part of a systematic or sustained campaign. The activities covered should not be limited to activities with the objective to promote a change in a given policy, legislation or public decision-making process but should also cover activities aiming to maintain the status quo.

Amendment

(17) In order to determine the existence of ***a clear and substantial link between the services provided and the interest representation activities***, account should be taken of all relevant factors, such as the content of the activity, the context in which it is conducted, its objective, the means by which it is carried out, or whether the activity is part of a systematic or sustained campaign. The activities covered should not be limited to activities with the objective to promote a change in a given policy, legislation or public decision-making process but should also cover activities aiming to maintain the status quo.

Amendment 21

**Proposal for a directive
Recital 18**

Text proposed by the Commission

(18) Interest representation could, ***in particular***, be performed through activities such as organising or participating in meetings, conferences or events, contributing to or participating in consultations, parliamentary hearings or other similar initiatives, organising communication or advertising campaigns including through media, platforms, use of

Amendment

(18) Interest representation could be performed through activities such as organising or participating in meetings, conferences or events, contributing to or participating in consultations, parliamentary hearings or other similar initiatives, organising communication or advertising campaigns including through media, platforms, use of influencers in social media,

influencers in social media, **networks and grassroots initiatives**, preparing policy and position papers, legislative amendments, opinion polls and surveys, open letters and other communication or information material.

preparing policy and position papers, legislative amendments, opinion polls and surveys, open letters and other communication or information material, **including when it comes from think tanks or research institutions that are themselves acting as entities carrying out interest representation activities.**

Amendment 22

Proposal for a directive Recital 19

Text proposed by the Commission

(19) **Interest representation could also cover activities carried out on behalf of a third country entity in the context of research and education, such as the dissemination by think tanks of papers recommending or favouring the adoption of a specific public policy.** In accordance with the principle of academic freedom and freedom of scientific research, enshrined in Article 13 of the Charter, interest representation should not cover research pursued by researchers in a subject of their choice, the dissemination of the findings of that research, or teaching and education activities that are conducted in accordance with the principle of academic freedom and institutional autonomy, **except where the clear purpose of these activities is to influence the development, formulation or implementation of policy or legislation, or public decision-making processes, in the**

Amendment

(19) In accordance with the principle of academic freedom and freedom of scientific research, enshrined in Article 13 of the Charter, interest representation should not cover research pursued by researchers in a subject of their choice, the dissemination of the findings of that research, or teaching and education activities that are conducted in accordance with the principle of academic freedom and institutional autonomy. **Carrying out such activities should, therefore, not give rise to registration requirements under this Directive.**

Union and they are carried out on behalf of a third country entity. Where this is not the case, carrying out such activities should not give rise to registration requirements under this Directive.

Amendment 23

Proposal for a directive Recital 20

Text proposed by the Commission

(20) Activities carried out by officials of third country governments that are connected with the exercise of official authority, including activities related to the exercise of diplomatic relations between States or international organisations, should be excluded from the scope of this Directive. This Directive should also not cover activities carried out by lawyers consisting of the provision of legal advice or the representation in legal, conciliation or mediation proceedings of third country entities and safeguarding their fundamental rights, such as the right to be heard, the right to a fair trial, and the right of defence. Professional advice other than legal advice should also be outside the scope of this Directive, such as procuring a professional or expert study to serve as evidence in support of arguments in court; getting technical or scientific advice on complying with technical legislation or using mediation services of a professional as mediators who are not necessarily

Amendment

(20) Activities carried out by officials of third country governments that are connected with the exercise of official authority, including activities related to the exercise of diplomatic relations between States or international organisations, ***such as those related to the functions referred to in Article 3 of the Vienna Convention on Diplomatic Relations***, should be excluded from the scope of this Directive. This Directive should also not cover activities carried out by lawyers consisting of the provision of legal advice or the representation in legal, conciliation or mediation proceedings of third country entities and safeguarding their fundamental rights, such as the right to be heard, the right to a fair trial, and the right of defence. Professional advice other than legal advice should also be outside the scope of this Directive, such as procuring a professional or expert study to serve as evidence in support of arguments in court; getting technical or scientific advice on

certified lawyers. Ancillary activities such as catering, the provision of a venue, the printing of brochures or policy papers, or the provision of online intermediary services within the meaning of Regulation (EU) 2022/2065³, such as online platforms services, should not be covered by this Directive.

complying with technical legislation or using mediation services of a professional as mediators who are not necessarily certified lawyers. Ancillary activities such as catering, the provision of a venue, the printing of brochures or policy papers, or the provision of online intermediary services within the meaning of Regulation (EU) 2022/2065³, such as online platforms services, should not be covered by this Directive.

³ Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EU (Digital Services Act) (OJ L 277, 27.10.2022, p. 1, ELI: <http://data.europa.eu/eli/reg/2022/2065/oj>).

³ Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EU (Digital Services Act) (OJ L 277, 27.10.2022, p. 1, ELI: <http://data.europa.eu/eli/reg/2022/2065/oj>).

Amendment 24

Proposal for a directive Recital 21

Text proposed by the Commission

(21) In order to harmonise transparency requirements, it is necessary to provide for a common definition of providers of interest representation services. Providers of interest representation services could be legal persons governed by private law, natural persons who individually engage in a professional lobbying activity, as well as other natural or legal persons whose principal or occasional occupation is to

Amendment

deleted

influence the public decision-making process, including lobbying and public relations companies, think tanks, civil society organisations, private research institutes, public research institutes offering research services, individual researchers and consultants.

Amendment 25

Proposal for a directive Recital 23

Text proposed by the Commission

(23) The government or authorities of a third country may be behind the decision of an entity to seek interest representation. This may be as a result of control exercised by the government or public authorities of a third country over the entity, in particular ***where it has a decisive influence on that entity through economic rights, contractual arrangements, or any other means.*** It may also result from situations where a third country government or authorities were behind the decision of the entity, in particular by giving instructions or directives. In order to capture such instances, the concept of third country entities should be understood as covering not only the central government and public authorities of third countries but also public or private entities, including Union citizens and legal persons established in the Union, whose actions can be ultimately attributed to that third country. Whether the actions of a public or

Amendment

(23) The government or authorities of a third country may be behind the decision of an entity to seek interest representation. This may be as a result of control exercised by the government or public authorities of a third country over the entity. ***In order to determine whether an entity is ultimately controlled by a sponsor, it is necessary to take into account the factual and legal context in which it operates, the rights exercised over it by third parties, its contractual obligations and any other factors which, separately or in combination, indicate that, someone is able to exercise decisive influence over it. Such factual and legal elements may originate, in particular, from ownership, from the right to use all or part of the assets of an entity, or from rights or contracts which confer decisive influence on the composition, voting or decisions of the organs of an entity, or rights allowing a***

private entity are to be attributed to a third country government or authority should be determined on a case-by-case basis with due regard to elements such as the characteristics of the relevant entity and the legal and economic environment prevailing in the third country in which the entity operates, including the government's role in the economy of that country.

decisive impact over financial or strategic policies. These elements should collectively represent ways in which a sponsor is able to guide the strategic direction or the major decisions of an entity.

Control may also result from situations where a third country government or authorities were behind the decision of the entity, in particular by giving instructions or directives. In order to capture such instances, the concept of third country entities ***acting as sponsor of interest representation activities*** should be understood as covering not only the central government and public authorities of third countries but also public or private entities, including Union citizens and legal persons established in the Union, whose actions can be ultimately attributed to that third country. Whether the actions of a public or private entity are to be attributed to a third country government or authority should be determined on a case-by-case basis with due regard to elements such as the characteristics of the relevant entity and the legal and economic environment prevailing in the third country in which the entity operates, including the government's role in the economy of that country. ***This attribution should be supported by clearly evidence and not be used as a tool to restrict civic space or 'name and shame' entities.***

Amendment 26

Proposal for a directive Recital 24

Text proposed by the Commission

(24) An interest representation activity should fall within the scope of this Directive if it is carried out on behalf of a third country **entity**. This means that it should cover interest representation services provided to third country **entities**. Furthermore, since a third country government may rely on entities whose actions can be attributed to it to carry out interest representation activities of an economic nature and thus comparable to an interest representation service, the Directive should also cover such activities. It may thus also cover in-house interest representation by third country **entities**. This Directive should cover interest representation activities carried out on behalf of third country **entities** directed to natural or legal persons or carried out or brought to the public domain in one or several Member States.

Amendment

(24) An interest representation activity should fall within the scope of this Directive if it is carried out on behalf of a third country **sponsor**. This means that it should cover interest representation services provided to third country **sponsors**. Furthermore, since a third country government may rely on entities whose actions can be attributed to it to carry out interest representation activities of an economic nature and thus comparable to an interest representation service, the Directive should also cover such activities. It may thus also cover in-house interest representation by third country **sponsors**. This Directive should cover interest representation activities carried out on behalf of third country **sponsors** directed to natural or legal persons or carried out or brought to the public domain in one or several Member States.

Amendment 27

Proposal for a directive **Recital 25**

Text proposed by the Commission

(25) This Directive should not cover activities supporting or aligned with the interests of a third country but without any link to that third country. This includes activities that constitute a manifestation of the freedom of expression and of the freedom to impart and receive information and ideas, or a manifestation of academic freedom, such as

Amendment

(25) **This** Directive should not cover activities supporting or aligned with the interests of a third country but without any link to that third country. This includes activities that constitute a manifestation of the freedom of expression and of the freedom to impart and receive information and ideas, or a manifestation of academic freedom, such as

activities carried out by natural persons acting in a personal capacity, or journalists working for third country media whose actions cannot be attributed to a third country or do not qualify as interest representation as defined by this Directive. The provision of media services as defined in Article 2 of Regulation (EU) **XXXX/XXXX** of the European Parliament and of the Council⁴ and the provision of audiovisual media services as defined in Article 1 of Directive 2010/13/EU of the European Parliament and of the Council⁵ will not fall within the scope of application of this Directive. ***However, interest representation activities carried out on behalf of third country entities within the meaning of this Directive by media service providers will be covered.***

⁴ Regulation (EU) **XXXX/XXXX** of the European Parliament and of the Council of **XXXX** establishing a common framework for media services in the internal market (European Media Freedom Act) and amending Directive 2010/13/EU (OJ L **XX**, **XX.XX.XXXX**, p. **XX**, ELI: **XXX**).

⁵ Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (OJ L 95, 15.4.2010, p.

activities carried out by natural persons acting in a personal capacity, or journalists working for third country media whose actions cannot be attributed to a third country or do not qualify as interest representation as defined by this Directive. The provision of media services as defined in Article 2 of Regulation (EU) **2024/1083**⁴ of the European Parliament and of the Council and the provision of audiovisual media services as defined in Article 1 of Directive 2010/13/EU of the European Parliament and of the Council⁵ will not fall within the scope of application of this Directive.

⁴ Regulation (EU) **2024/1083** of the European Parliament and of the Council of **11 April 2024** establishing a common framework for media services in the internal market (European Media Freedom Act) and amending Directive 2010/13/EU (OJ L **2024/1083**, **17.4.2024**, ELI: <http://data.europa.eu/eli/reg/2024/1083/oj>).

⁵ Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (OJ L 95, 15.4.2010, p.

1, ELI:
<http://data.europa.eu/eli/dir/2010/13/oj>).

1, ELI:
<http://data.europa.eu/eli/dir/2010/13/oj>).

Amendment 28

Proposal for a directive Recital 26

Text proposed by the Commission

(26) For the purpose of interest representation services provided to a third country **entity**, any consideration received in return for the interest representation service in question should be considered as remuneration for the purposes of this Directive. This could cover financial contributions, such as loans, capital injection, debt forgiveness, fiscal incentives or tax exemption, received in return of an interest representation activity. Remuneration could also include benefits in kind, such as the provision, construction and maintenance of office space in return for an interest representation service. In such situations, the interest representation services provider would be responsible for estimating the value of the benefit received, for example by using the market rate.

Amendment 29

Proposal for a directive Recital 27

Text proposed by the Commission

(27) The Court has held that the essential characteristic of

Amendment

(26) For the purpose of interest representation services provided to a third country **sponsor**, any consideration received in return for the interest representation service in question should be considered as remuneration for the purposes of this Directive. This could cover financial contributions, such as loans, capital injection, debt forgiveness, fiscal incentives or tax exemption, received in return of an interest representation activity. Remuneration could also include benefits in kind, such as the provision, construction and maintenance of office space in return for an interest representation service. In such situations, the interest representation services provider would be responsible for estimating the value of the benefit received, for example by using the market rate.

Amendment

(27) The Court has held that the essential characteristic of

remuneration lies in the fact that it constitutes consideration for the services in question. Contributions to **the core funding of** an organisation or similar financial support, for example provided under a third country donor grant scheme, should not be considered as remuneration for an interest representation service where they are unrelated to an interest representation activity, that is, where the entity would receive such funding regardless of whether it carries out specific interest representation activities.

remuneration lies in the fact that it constitutes consideration, **namely a specific payment or remuneration**, for the services in question. Contributions to an organisation, **including in particular civil society organisations, such as contributions to its core funding** or similar financial support, for example provided under a third country donor grant scheme, should not be considered as remuneration for an interest representation service where they are unrelated to an interest representation activity, that is, where the entity would receive such funding regardless of whether it carries out specific interest representation activities.

Amendment 30

Proposal for a directive Recital 28

Text proposed by the Commission

(28) To ensure a comprehensive and transparent overview of the amounts used for an interest representation activity as a whole, annual amounts should, for the purpose of this Directive, include the total annual remuneration received from the third country **entity** for the provision of an interest representation service, and where no remuneration is received, the estimate of the annual costs related to the interest representation activity carried out. For the same reasons, these amounts should include the costs for subcontractors and ancillary activities.

Amendment

(28) To ensure a comprehensive and transparent overview of the amounts used for an interest representation activity as a whole, annual amounts should, for the purpose of this Directive, include the total annual remuneration received from the third country **sponsor** for the provision of an interest representation service, and where no remuneration is received, the estimate of the annual costs related to the interest representation activity carried out. For the same reasons, these amounts should include the costs for subcontractors and ancillary activities.

Amendment 31

Proposal for a directive Recital 29

Text proposed by the Commission

(29) Subcontractors may qualify as an entity carrying out interest representation on behalf of third country **entities** and thus fall within the scope of the obligations set out in this Directive. To reduce administrative burden and to avoid double-counting of remuneration, as well as to ensure information throughout a chain of contracts, entities carrying out interest representation activities should ensure that their contractual arrangements with subcontractors include information that the interest representation activity is carried out on behalf of a third country **entity**, as well as an obligation to pass on that information in cases where the activity is further subcontracted. On that basis, subcontractors should be exempted from the obligation to register and keep records, and where applicable, designate a legal representative, laid down in this Directive.

Amendment 32

Proposal for a directive Recital 30

Text proposed by the Commission

(30) To facilitate compliance with the registration requirements of

Amendment

(29) Subcontractors may qualify as an entity carrying out interest representation on behalf of third country **sponsors** and thus fall within the scope of the obligations set out in this Directive. To reduce administrative burden and to avoid double-counting of remuneration, as well as to ensure information throughout a chain of contracts, entities carrying out interest representation activities should ensure that their contractual arrangements with subcontractors include information that the interest representation activity is carried out on behalf of a third country **sponsor**, as well as an obligation to pass on that information in cases where the activity is further subcontracted. On that basis, subcontractors should be exempted from the obligation to register and keep records, and where applicable, designate a legal representative, laid down in this Directive.

Amendment

(30) To facilitate compliance with the registration requirements of

this Directive, providers of interest representation services should be entitled to ask the entity on whose behalf the service is provided to declare whether it is a third country **entity**. Providers of interest representation services should make the best possible use of this right in order to make an informed choice enabling them to fully comply with the requirements set out in this Directive when exercising their activities.

this Directive, providers of interest representation services should be entitled to ask the entity on whose behalf the service is provided to declare whether it is a third country **sponsor**. Providers of interest representation services should make the best possible use of this right in order to make an informed choice enabling them to fully comply with the requirements set out in this Directive when exercising their activities.

Amendment 33

Proposal for a directive Recital 31

Text proposed by the Commission

(31) In order to support accountability and promote awareness of the third country interests they represent, entities carrying out interest representation activities on behalf of a third country **entity** should **be required to** keep certain **records**. These records should include a description of the purpose of the interest representation activity, in particular the decision-making process it seeks to influence and the result it seeks to obtain. Records should also include the identity of the third country **entity**, which in cases where the **entity** is a natural person should be understood as the natural person's full name. They should also include copies of contracts **and key exchanges essential to understanding the nature, and purpose of**, and financial

Amendment

(31) In order to support accountability and promote awareness of the third country interests they represent, entities carrying out interest representation activities on behalf of a third country **sponsor** should keep certain **information**. These records should include a description of the purpose of the interest representation activity, in particular the decision-making process it seeks to influence and the result it seeks to obtain. Records should also include the identity of the third country **sponsor**, which in cases where the **sponsor** is a natural person should be understood as the natural person's full name. They should also include copies of contracts and financial arrangements behind the interest representation activity, as well as information or material

arrangements behind the interest representation activity, as well as information or material constituting a key component of the activity, such as position papers shared with public officials.

constituting a key component of the activity, such as position papers shared with public officials.

Amendment 34

Proposal for a directive Recital 32

Text proposed by the Commission

(32) Entities carrying out interest representation on behalf of third countries should not be required to keep the personal data contained in those records longer than necessary to ensure that the supervisory authorities can carry out their supervisory and enforcement tasks. Any such records should be kept long enough to enable supervisory authorities to obtain, in justified cases, the records kept on the third country **entity** and the interest representation activity as well as the annually aggregated records.

Amendment

(32) Entities carrying out interest representation on behalf of third countries should not be required to keep the personal data contained in those records longer than necessary to ensure that the supervisory authorities can carry out their supervisory and enforcement tasks. Any such records should be kept long enough to enable supervisory authorities to obtain, in justified cases, the records kept on the third country **sponsor** and the interest representation activity as well as the annually aggregated records.

Amendment 35

Proposal for a directive Recital 33

Text proposed by the Commission

(33) In order to allow for effective oversight, entities carrying out interest representation activities on behalf of a third country **entity** that do not have a place of

Amendment

(33) In order to allow for effective oversight, entities carrying out interest representation activities on behalf of a third country **sponsor** that do not have a place

establishment in the Union should be required to designate a legal representative established in the Union and ensure that their designated legal representative has the necessary powers and resources to cooperate with the relevant authorities.

Amendment 36
Proposal for a directive
Recital 34

Text proposed by the Commission

(34) In order to provide for harmonised transparency requirements across the internal market, entities carrying out interest representation activities on behalf of a third country **entity** should be required to register in national registers **at** their place of establishment. Subsequent updates to an existing registration should also take place in that national register. **These registers should be set up, operated and maintained by the Member States.** Member States may make use of their existing national registers for the purpose of this Directive, provided that the requirements of this Directive are complied with. In order to respect national divisions of competence, Member States should be entitled to set up more than one such registers. In such cases, Member States should establish rules indicating in which national register entities carrying out interest representation activities on behalf of third countries should register. Logs of personal data processing activities within the national registers should not

of establishment in the Union should be required to designate a legal representative established in the Union and ensure that their designated legal representative has the necessary powers and resources to cooperate with the relevant authorities.

Amendment

(34) In order to provide for harmonised **minimum** transparency requirements across the internal market, entities carrying out interest representation activities on behalf of a third country **sponsor** should be required to register in national registers **of a Member State where** their **main** place of establishment **is situated or where they carry out interest representation activities.** **These registers should be set up, operated and maintained by the Member States.** Subsequent updates to an existing registration should also take place in that national register. Member States may make use of their existing national registers for the purpose of this Directive, provided that the requirements of this Directive are complied with. In order to respect national divisions of competence, Member States should be entitled to set up more than one such registers, **which should be interoperable.** In such cases, Member States should establish rules indicating in which national register entities

be kept longer than necessary to monitor the lawfulness of access to personal data and should therefore be limited to a year.

carrying out interest representation activities on behalf of third countries should register. Logs of personal data processing activities within the national registers should not be kept longer than necessary to monitor the lawfulness of access to personal data and should therefore be limited to a year.

Amendment 37

Proposal for a directive Recital 35

Text proposed by the Commission

(35) Pursuant to Regulation (EU) 2018/1724 of the European Parliament and of the Council⁶, information on the registration obligations and formalities established by this Directive **is** available via the Single Digital Gateway which, through the Your Europe web portal, sets up a one-stop shop that provides businesses and citizens with information about rules and procedures in the Single Market, at all levels of government and direct, centralised, and guided access to assistance and problem-solving services as well as to a wide range of fully digitised administrative procedures. In addition, the procedure for registration **is** fully online and organised in accordance with the ‘once only’ principle to facilitate the reuse of data.

⁶ Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018

Amendment

(35) Pursuant to Regulation (EU) 2018/1724 of the European Parliament and of the Council⁶, information on the registration obligations and formalities established by this Directive **should be** available via the Single Digital Gateway which, through the Your Europe web portal, sets up a one-stop shop that provides businesses and citizens with information about rules and procedures in the Single Market, at all levels of government and direct, centralised, and guided access to assistance and problem-solving services as well as to a wide range of fully digitised administrative procedures. In addition, the procedure for registration **should be** fully online and organised in accordance with the ‘once only’ principle to facilitate the reuse of data.

⁶ Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018

establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/1724/oj>).

establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/1724/oj>).

Amendment 38

Proposal for a directive Recital 36

Text proposed by the Commission

(36) Where the entity carrying out interest representation activities on behalf of a third country **entity** is established in several Member States, registration should only take place in **the** Member State **where the entity has its main establishment. The main establishment of the entity should be understood as the place where the entity has its head office or registered office within which the principal economic activities and operational control are exercised.**

Amendment

(36) Where the entity carrying out interest representation activities on behalf of a third country **sponsor** is established in several Member States, registration should only take place in **one** Member State.

Amendment 39

Proposal for a directive Recital 37

Text proposed by the Commission

(37) The information to be included for the purpose of this Directive in the registration should be limited to what is necessary to ensure the transparency of the interest

Amendment

(37) The information to be included for the purpose of this Directive in the registration should be limited to what is necessary to ensure the transparency of the interest

representation activities carried out on behalf of third countries and the effective enforcement of this Directive. Such information should include data concerning the entity carrying out interest representation activity itself, the third country on whose behalf the activity is performed, the identity of subcontractors as defined in this Directive carrying out interest representation activities, and information concerning the specific interest representation activity carried out. Where applicable, it should also include a reference to media service providers or online platforms where advertisements are placed as part of the interest representation activity. The registration should not concern information on the amounts or origin of financial support received that is unrelated to an interest representation activity.

representation activities carried out on behalf of third countries and the effective **and proportionate** enforcement of this Directive. Such information should include data concerning the entity carrying out interest representation activity itself, the third country on whose behalf the activity is performed, the identity of subcontractors as defined in this Directive carrying out interest representation activities, and information concerning the specific interest representation activity carried out. Where applicable, it should also include a reference to media service providers or online platforms where advertisements are placed as part of the interest representation activity. The registration should not concern information on the amounts or origin of financial support received that is unrelated to an interest representation activity.

Amendment 40

Proposal for a directive Recital 38

Text proposed by the Commission

(38) To ensure that the information provided for the purposes of registration continues to allow the authorities responsible for the national registers to correctly and precisely identify the third countries on whose behalf interest representation is being carried out and how much is being spent on those activities, the Commission should be empowered to adopt delegated

Amendment

(38) To ensure that the information provided for the purposes of registration continues to allow the authorities responsible for the national registers to correctly and precisely identify the third countries on whose behalf interest representation is being carried out and how much is being spent on those activities, the Commission should be empowered to adopt delegated

acts adapting the standard set of information.

acts adapting the standard set of information ***to be registered***.

Amendment 41

Proposal for a directive Recital 39

Text proposed by the Commission

(39) Entities carrying out interest representation activities on behalf of third countries, registered in a national register, should update information in the national register at least once a year. However, in view of the importance of the accuracy of the information held in such national registers for the application and oversight of the Directive, any changes or additions to the contact information of the registered entity should be made ***more quickly, and in any event within a reasonable period of time.***

Amendment

(39) Entities carrying out interest representation activities on behalf of third countries, registered in a national register, should update information in the national register at least once a year. However, in view of the importance of the accuracy of the information held in such national registers for the application and oversight of the Directive, any changes or additions to the contact information of the registered entity should be made ***as quickly as possible.***

Amendment 42

Proposal for a directive Recital 41

Text proposed by the Commission

(41) Entities carrying out an interest representation activity on behalf of third countries should be able to demonstrate that they have complied with the registration requirements. Once registered, an entity should be provided with a copy of the information included in a national register and a unique European Interest Representation Number ('EIRN'). The EIRN should serve

Amendment

(41) Entities carrying out an interest representation activity on behalf of third countries ***sponsors*** should be able to demonstrate that they have complied with the registration requirements. Once registered, an entity should be provided with a copy of the information included in a national register and a unique European Interest Representation Number ('EIRN').

as a means to facilitate the identification across the Union of entities registered pursuant to this Directive. The composition of the EIRN should therefore allow the identification of the Member State of registration and the specific national register in which registration has taken place. The choice of the code identifying the national register of registration should appear logical to persons familiar with the organisation of the Member State concerned.

The EIRN should serve as a means to facilitate the identification across the Union of entities registered pursuant to this Directive. The composition of the EIRN should therefore allow the identification of the Member State of registration and the specific national register in which registration has taken place. The choice of the code identifying the national register of registration should appear logical to persons familiar with the organisation of the Member State concerned.

Amendment 43

Proposal for a directive Recital 42

Text proposed by the Commission

(42) Once they are registered in **the** Member State **of their place of establishment**, registered entities should not be required to register in other Member States, including when they launch an interest representation activity there. However, to facilitate the access by public officials to information on entities carrying out interest representation activities with whom they might interact, other Member States where such activities will be carried out should include, in their own national registers, the names of the registered entities concerned, their EIRN, and the link to the information contained in the national register of registration made publicly available.

Amendment

(42) Once they are registered in **a** Member State, registered entities should not be required to register in other Member States, including when they launch an interest representation activity there. However, to facilitate the access by public officials to information on entities carrying out interest representation activities with whom they might interact, other Member States where such activities will be carried out should include, in their own national registers, the names of the registered entities concerned, their EIRN, and the link to the information contained in the national register of registration made publicly available.

Amendment 44

Proposal for a directive Recital 42 a (new)

Text proposed by the Commission

Amendment

(42a) In order to facilitate the access by public officials to information on entities carrying out interest representation activities with whom they might interact, the Commission should consider the development of pre-engagement screening tools that provide public officials with easy access to public information from different sources, such as national registers, transparency registers or other relevant disclosure information, about entities within the scope of this Directive so that public officials can evaluate potential risks prior to engaging with entities.

Amendment 45

Proposal for a directive Recital 43

Text proposed by the Commission

Amendment

(43) To ensure compliance with the registration requirement, supervisory authorities should, where they have reliable information that an entity failed to register, for example based on a report by a whistleblower, be able to ask the entity to provide the information strictly necessary to establish whether it falls within the scope of this Directive. Such information should typically not

(43) To ensure compliance with the registration requirement, supervisory authorities should, where they have reliable information that an entity failed to register, for example based on a report by a whistleblower, be able to ask the entity to provide the information strictly necessary to establish whether it falls within the scope of this Directive. Such information should typically not

extend beyond information directly capable of demonstrating whether it falls within the scope of this Directive. It could consist of the information of the type covered by the record-keeping obligation, including any declarations obtained as to whether an entity on whose behalf an interest representation service is provided is a third country **entity**. Where possible, the request should be limited to information that should be in the possession of the entity. In addition, supervisory authorities should, where they have reliable information of possible non-compliance with the obligations flowing from registration, be able to ask an entity to provide the information necessary to investigate such possible non-compliance. Such information should **typically** not extend beyond information directly capable of demonstrating the completeness or accuracy of the information provided as part of the requirement to register and to update. **Where possible**, the request should be limited to information that should be in the possession of the registered entity. Any such requests should contain a statement of reasons, the information sought and the reasons for its relevance, and information on judicial review procedures available. Such requests should be without prejudice to national authorities' powers to investigate any conduct liable to constitute criminal offences as provided in national law and Union law.

extend beyond information directly capable of demonstrating whether it falls within the scope of this Directive. It could consist of the information of the type covered by the record-keeping obligation, including any declarations obtained as to whether an entity on whose behalf an interest representation service is provided is a third country **sponsor**. Where possible, the request should be limited to information that should be in the possession of the entity. In addition, supervisory authorities should, where they have reliable information of possible non-compliance with the obligations flowing from registration, be able to ask an entity to provide the information necessary to investigate such possible non-compliance. Such information should not extend beyond information directly capable of demonstrating the completeness or accuracy of the information provided as part of the requirement to register and to update. The request should be limited to information that should be in the possession of the registered entity. Any such requests should contain a statement of reasons, the information sought and the reasons for its relevance, and information on judicial review procedures available. Such requests should be without prejudice to national authorities' powers to investigate any conduct liable to constitute criminal offences as provided in national law and Union law.

Amendment 46

Proposal for a directive Recital 44

Text proposed by the Commission

(44) Democratic accountability is a pillar of well-functioning democracies. By providing for ***citizens'*** access to information on entities carrying out interest representation activities on behalf of third countries active in the internal market, as well as the third country ***entities*** they represent, this Directive enables citizens and other interested stakeholders to exercise their democratic rights and responsibilities, including their ability to exercise democratic scrutiny in full knowledge of whose interest are being served by the interest representation activities ***to which they, or their elected representatives, may be exposed***. Public scrutiny by citizens and interested stakeholders on issues affecting the democratic sphere supports democratic checks and balances. ***Democratic accountability also supports*** citizens' ***empowerment, allowing them to express*** and exercise their democratic choices, ***including when they vote. As voters, citizens are important decision-makers in their own right, and as such, they can be the target for certain interest representation services.***

Amendment 47

Proposal for a directive Recital 44 a (new)

Amendment

(44) Democratic accountability is a pillar of well-functioning democracies. By providing for ***public*** access to information on entities carrying out interest representation activities on behalf of third countries active in the internal market, as well as the third country ***sponsors*** they represent, this Directive enables citizens and other interested stakeholders to exercise their democratic rights and responsibilities, including their ability to exercise democratic scrutiny in full knowledge of whose interest are being served by the interest representation activities. ***As voters, citizens are the most relevant decision-makers.*** Public scrutiny by citizens and interested stakeholders on issues affecting the democratic sphere supports democratic checks and balances, ***enhances*** citizens' ***support and allows a more informed expression*** and exercise ***of*** their democratic choices.

Text proposed by the Commission

Amendment

(44a) In order to facilitate access to public information and to improve transparency of interest representation activities carried out on behalf of third countries in the internal market from outside the Member State responsible for the national register, national registers should, for the purposes of this Directive, be interconnected through a European central public access portal. In order to facilitate the making available to the public of the information provided for in this Directive, the Commission should establish a system that provides a search service in all the official languages of the Union.

Amendment 48

Proposal for a directive Recital 45

Text proposed by the Commission

Amendment

(45) To ensure proportionality, when personal data is made publicly available, it should be limited to what is strictly necessary to the purpose of informing citizens, their representatives and other interested parties about interest representation activities carried out on behalf of third countries. In addition, information on the annual amounts declared should be made publicly available using more general ranges than the ones used for the submission of

(45) To ensure proportionality, when personal data is made publicly available, it should be limited to what is strictly necessary to the purpose of informing citizens, their representatives and other interested parties about interest representation activities carried out on behalf of third countries **sponsors**. In addition, information on the annual amounts declared should be made publicly available using more general ranges than the ones

information to national registers, to ensure the level of detail necessary for the purpose of informing citizens, their representatives and other interested parties. Information that is of relevance only to supervisory authorities, such as the contact details of the persons responsible for a registered entity, should not be made publicly available.

used for the submission of information to national registers, to ensure the level of detail necessary for the purpose of informing citizens, their representatives and other interested parties. Information that is of relevance only to supervisory authorities, such as the contact details of the persons responsible for a registered entity, should not be made publicly available.

Amendment 49

Proposal for a directive Recital 47

Text proposed by the Commission

(47) To ensure the protection of individuals that may be exposed by the publication of specific information to a violation of their fundamental rights, such as retaliations against individuals working for a registered entity operating in a third country, Member States should ensure that supervisory authorities are able, upon request, to restrict the publication of whole or part of the information entered in the national register. The registered entity should demonstrate that, taking into account all the relevant circumstances of the individual cases, publication should be restricted due to legitimate interests such as a **serious** risk that the publication would expose an individual to a violation of their fundamental rights in particular as protected by Articles 1 (Right to human dignity), 2 (Right to life), 3 (Right to the integrity of the person), 4

Amendment

(47) To ensure the protection of individuals that may be exposed by the publication of specific information to a violation of their fundamental rights, such as retaliations against individuals working for a registered entity operating in a third country, Member States should ensure that supervisory authorities are able, upon request **or ex officio**, to restrict the publication of whole or part of the information entered in the national register. The registered entity should demonstrate **in its request** that, taking into account all the relevant circumstances of the individual cases, publication should be restricted due to legitimate interests such as a risk that the publication would expose an individual to a violation of their fundamental rights in particular as protected by Articles 1 (Right to human dignity), 2 (Right to life), 3 (Right to the

(Prohibition of torture and inhuman or degrading treatment or punishment) or 6 (Right to liberty and security of the Charter, such as kidnapping, blackmail, extortion, harassment, violence or intimidation), or such as trade secrets. The analysis should take into account risks to the physical integrity of employees, or any individuals working for or affiliated to a registered entity. Legitimate interests should also cover risks to individuals that benefit from the activities of the registered entity. Any decision by the supervisory authority should take into account the objectives of this Directive and should be subject to judicial review procedures in the Member State of registration. The decisions by the supervisory authority and where applicable judicial jurisdiction, should be taken promptly. To enable the public to know that the registered entity has complied with the registration requirement established by this Directive where a restriction of publication is granted, the data field in the national register should be replaced by a mention indicating that the publication has been limited on grounds of legitimate interest.

integrity of the person), 4 (Prohibition of torture and inhuman or degrading treatment or punishment) or 6 (Right to liberty and security of the Charter, such as kidnapping, blackmail, extortion, harassment, violence or intimidation), or such as trade secrets. The analysis should take into account risks to the physical integrity of employees, or any individuals working for or affiliated to a registered entity. Legitimate interests should also cover risks to individuals that benefit from the activities of the registered entity. Any decision by the supervisory authority should take into account the objectives of this Directive and should be subject to judicial review procedures in the Member State of registration. The decisions by the supervisory authority and where applicable judicial jurisdiction, should be taken promptly. To enable the public to know that the registered entity has complied with the registration requirement established by this Directive where a restriction of publication is granted, the data field in the national register should be replaced by a mention indicating that the publication has been limited on grounds of legitimate interest.

Amendment 50

Proposal for a directive Recital 50

Text proposed by the Commission

(50) In order to prevent stigmatisation of the registered

Amendment

(50) In order to prevent stigmatisation of the registered

entity, the data made publicly available should be presented in a factual and neutral way. ***In addition***, when carrying out the tasks assigned to them under this Directive, competent national authorities should ensure that no adverse consequences arise from the mere fact that an entity is a registered entity. In particular, the publication should not be presented with or accompanied by statements or provisions that could create a climate of distrust with regard to the registered entities, ***apt*** to deter natural or legal persons from Member States or third countries from engaging with them or providing them with financial support. Examples of such stigmatising actions include negatively labelling the registered entities or making disparaging statements seeking to undermine registered entities' credibility and legitimacy by implying that registered entities are seeking to ***unlawfully influence*** democratic processes.

entity, the data made publicly available should be presented in a factual and neutral way. ***To this end***, when carrying out the tasks assigned to them under this Directive, competent national authorities should ensure that no adverse consequences, ***direct or indirect***, arise from the mere fact that an entity is a registered entity. In particular, the publication should not be presented with or accompanied by statements or provisions that could create a climate of distrust with regard to the registered entities, ***liable to result in them being discriminated against or*** to deter natural or legal persons from Member States or third countries from engaging with them or providing them with financial support. Examples of such stigmatising actions include negatively labelling the registered entities or making disparaging statements seeking to undermine registered entities' credibility and legitimacy ***or the conduct of their interest representation activities*** by implying that registered entities are seeking to ***interfere with*** democratic processes.

Amendment 51

Proposal for a directive Recital 51

Text proposed by the Commission

(51) Where a third country spends particularly large amounts on interest representation, or where an entity receives particularly large amounts of remuneration from one or several

Amendment

(51) Where a third country spends particularly large amounts on interest representation, or where an entity receives particularly large amounts of remuneration from one or several

third country **entities**, there is heightened likelihood that the interest representation activities carried out would successfully influence the political choices of a Member State or of the Union as a whole. In such cases, supervisory authorities should be able to request additional information from entities carrying out interest representation activities carried out on behalf of such third countries in order to exercise greater scrutiny.

third country **sponsors**, there is heightened likelihood that the interest representation activities carried out would successfully influence the political choices of a Member State or of the Union as a whole. In such cases, supervisory authorities should be able to request additional information from entities carrying out interest representation activities carried out on behalf of such third countries in order to exercise greater scrutiny.

Amendment 52

Proposal for a directive Recital 52

Text proposed by the Commission

(52) To ensure a proportionate oversight of this Directive, supervisory authorities should be able to ask an entity carrying out interest representation activities on behalf of third country **entities** to provide the records necessary to investigate possible non-compliance with the registration requirement set out in this Directive. For that purpose, supervisory authorities should be able to act on their own motion or on the basis of a report by a whistleblower or the supervisory authority of another Member State.

Amendment

(52) To ensure a proportionate oversight of this Directive, supervisory authorities should be able to ask an entity carrying out interest representation activities on behalf of third country **sponsors** to provide the records necessary to investigate possible non-compliance with the registration requirement set out in this Directive. For that purpose, supervisory authorities should be able to act on their own motion or on the basis of a report by a whistleblower or the supervisory authority of another Member State.

Amendment 53

Proposal for a directive Recital 53

Text proposed by the Commission

(53) Supervisory authorities should cooperate both at national and at Union level. Such cooperation should facilitate the swift, secure exchange of information. For the purpose of exercising their supervisory tasks, supervisory authorities should be able to request, from the supervisory authority in the Member State of registration, information provided in the registration, including that which is not public, and in specific cases the records kept by the entity, as well as analyses carried out. Supervisory authorities and the Commission should cooperate to ensure the implementation of the Directive. To better understand the size and the distribution of the overall interest representation activities that are carried out on behalf of third countries in the Union. The Commission should be able to request, from supervisory authorities, aggregate data based on the information provided by entities carrying out interest representation **carried out on behalf of third country entities** in their registration. In order to comprehensively monitor the modalities and the features of the interest representation activities carried out on behalf of third countries **that are carried out in the Union**, such aggregate data may include information that is not publicly available in the registers including personal data to the extent that is necessary to ensure an effective monitoring.

Amendment

(53) Supervisory authorities should cooperate both at national and at Union level. Such cooperation should facilitate the swift, secure exchange of information. For the purpose of exercising their supervisory tasks, supervisory authorities **in other Member States** should be able to request, from the supervisory authority in the Member State of registration, information provided in the registration, including that which is not public, and in specific cases the records kept by the entity, as well as analyses carried out. Supervisory authorities and the Commission should cooperate to ensure the implementation of the Directive. To better understand the size and the distribution of the overall interest representation activities that are carried out on behalf of third countries in the Union. The Commission should be able to request, from supervisory authorities, aggregate data based on the information provided by entities carrying out interest representation on behalf of third country **sponsors** in their registration. In order to comprehensively monitor the modalities and the features of the interest representation activities carried out **in the Union** on behalf of third countries such aggregate data may include information that is not publicly available in the registers including personal data to the extent that is necessary to ensure an effective monitoring.

Amendment 54

Proposal for a directive Recital 54

Text proposed by the Commission

(54) **To further limit** administrative **burden**, administrative cooperation and exchanges of information between the national authorities, as well as the supervisory authorities and the Commission takes place through the Internal Market Information System ('IMI system') established by Regulation (EU) 1024/2012 of the European Parliament and of the Council⁷ for administrative cooperation between Member States' competent authorities in Single Market related policy areas. The interoperability of the IMI system and the national registers should be ensured in line with the European Interoperability Framework.

⁷ Regulation (EU) No 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC ('the IMI Regulation') (OJ L 316, 14.11.2012, p. 1, ELI: <http://data.europa.eu/eli/reg/2012>

Amendment

(54) **The use of digital tools developed within the internal market by the Commission and Member States enhances transparency and trust in cross-border provision of services and limits** administrative **burdens by allowing coordination, cooperation and communication between the relevant authorities at national level**. Administrative cooperation and exchanges of information between the national authorities, as well as the supervisory authorities and the Commission takes place through the Internal Market Information System ('IMI system') established by Regulation (EU) 1024/2012 of the European Parliament and of the Council⁷ for administrative cooperation between Member States' competent authorities in Single Market related policy areas. The interoperability of the IMI system and the national registers should **therefore** be ensured in line with the European Interoperability Framework.

⁷ Regulation (EU) No 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC ('the IMI Regulation') (OJ L 316, 14.11.2012, p. 1, ELI: <http://data.europa.eu/eli/reg/2012>

/1024/oj).

/1024/oj).

Amendment 55

Proposal for a directive Recital 55

Text proposed by the Commission

(55) For the purposes of assisting the Commission in its task to ensure effective cooperation among competent national authorities, and the complete and effective implementation of this Directive, an advisory group should be established. The advisory group should include a representative from the supervisory authorities of each Member State. The advisory group should advise on the implementation of the Directive, including on the requirement to avoid that adverse consequences arise from the mere fact that an entity is registered pursuant to the requirements laid down in this Directive. It should adopt opinions, recommendations or reports that should be made public by the competent national authorities designated by Member States. In order to ensure legal certainty for entities that may fall in the scope of the Directive, the advisory group should, in particular, advise the Commission on possible guidance on the scope of the Directive, **the notion of third country entity**, and activities whose object or effect of which is to circumvent obligations in this Directive. Cooperation should be ensured as appropriate with the EU network

Amendment

(55) For the purposes of assisting the Commission in its task to ensure effective cooperation among competent national authorities, and the complete and effective implementation of this Directive, an advisory group should be established. The advisory group should include a representative from the supervisory authorities of each Member State. The advisory group should advise on the implementation of the Directive, including on the requirement to avoid that adverse consequences arise from the mere fact that an entity is registered pursuant to the requirements laid down in this Directive. It should adopt opinions, recommendations or reports that should be made public by the competent national authorities designated by Member States. In order to ensure legal certainty for entities that may fall in the scope of the Directive, the advisory group should, in particular, advise the Commission on possible guidance on the scope of the Directive, and activities whose object or effect of which is to circumvent obligations in this Directive. Cooperation should be ensured as appropriate with the EU network against

against corruption.

corruption.

Amendment 56

Proposal for a directive Recital 58

Text proposed by the Commission

(58) ***The participation, knowingly and intentionally, in activities the object or effect of which is to circumvent obligations in this Directive, notably registration requirements, should be prohibited.*** Such activities include covert remuneration for a representation service, the setting up of companies with a view to obfuscating links to third country governments, or the artificial distribution of activities across multiple entities with a view to falling short of the thresholds established by this Directive.

Amendment

(58) ***Certain*** activities ***might lead to the circumvention of the*** obligations ***under*** this Directive. Such activities include covert remuneration for a representation service, the setting up of companies with a view to obfuscating links to third country governments, or the artificial distribution of activities across multiple entities with a view to falling short of the thresholds established by this Directive. ***Member States should therefore ensure that such circumvention activities are addressed in their implementation of this Directive.***

Amendment 57

Proposal for a directive Recital 59

Text proposed by the Commission

(59) In order to deter non-compliance with the requirements of this Directive and to sanction the same, Member States should ensure that any infringements of the obligations laid down in this Directive are accompanied by effective, proportionate and dissuasive administrative ***fines***. Sanctions should not be criminal in nature. Sanctions should take

Amendment

(59) In order to deter non-compliance with the requirements of this Directive and to sanction the same, Member States should ensure that any infringements of the obligations laid down in this Directive are accompanied by effective, proportionate and dissuasive administrative ***sanctions, including temporary suspension of***

into account the nature, recurrence and duration of the infringement in view of the public interest at stake, the scope and kind of activities carried out, and the economic capacity of the entity carrying out interest representation activities. Sanctions should in each individual case be effective, proportionate and dissuasive, with due respect for fundamental rights including freedom of expression, association, academic freedom and freedom of scientific research, safeguards and access to effective remedies, including the right to be heard. They should follow a prior early warning issued by a supervisory authority, except when such infringement amounts to a violation of the prohibition of circumvention.

registration in the national register. Without prejudice to rules applicable to criminal activities and their detection, investigation, prosecution, supervision and sanctioning as established under national or Union law, such as those related to corruption, sanctions should not be criminal in nature. Sanctions should take into account the nature, recurrence and duration of the infringement in view of the public interest at stake, the scope and kind of activities carried out, and the economic capacity of the entity carrying out interest representation activities. Sanctions should in each individual case be effective, proportionate and dissuasive, with due respect for fundamental rights including freedom of expression, association, academic freedom and freedom of scientific research, safeguards and access to effective remedies, including the right to be heard. They should follow a prior early warning issued by a supervisory authority, except when such infringement amounts to a violation of the prohibition of circumvention.

Amendment 58

Proposal for a directive Recital 60

Text proposed by the Commission

(60) In order to amend the thresholds for requesting further information, to modify the list of information to be provided when submitting a request for registration, **and** to modify the

Amendment

(60) In order to amend the thresholds for requesting further information, to modify the list of information to be provided when submitting a request for registration, to modify the list of

list of information to be included in the reports published by Member States, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making⁹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

⁹ OJ L 123, 12.5.2016, p. 1, ELI: http://data.europa.eu/eli/agree_int_erinstit/2016/512/oj

Amendment 59

Proposal for a directive Recital 63

Text proposed by the Commission

(63) In particular, a Union-level system supports competent national authorities in their

information to be included in the reports published by Member States, **and to set out the technical specifications, the technical measures, the minimum criteria and means, and the technical conditions regarding the central public access portal**, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making⁹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

⁹ OJ L 123, 12.5.2016, p. 1, ELI: http://data.europa.eu/eli/agree_int_erinstit/2016/512/oj

Amendment

(63) In particular, a Union-level system supports competent national authorities in their

oversight functions and other stakeholders to exercise their role in the democratic process and increases the overall resilience of democracies in the Union against interference by third countries. There is an added value from addressing the transparency of interest representation activities carried out on behalf of third countries **to influence** at Union level, as the likely cross-border nature of such activities requires a coordinated approach across multiple levels and sectors. By collaborating and sharing information, Member States are able to obtain a better understanding of the extent of the phenomenon, which helps to avoid that third countries are able to exploit regulatory differences or loopholes.

oversight functions and other stakeholders to exercise their role in the democratic process and increases the overall resilience of democracies in the Union against interference by third countries. There is an added value from addressing the transparency of interest representation activities carried out on behalf of third countries at Union level, as the likely cross-border nature of such activities requires a coordinated approach across multiple levels and sectors. By collaborating and sharing information, Member States are able to obtain a better understanding of the extent of the phenomenon, which helps to avoid that third countries are able to exploit regulatory differences or loopholes.

Amendment 60

Proposal for a directive Recital 64

Text proposed by the Commission

(64) When implementing this Directive, Member States should seek to minimise the administrative burden on the entities concerned, **and** in particular **those of** micro, small and medium-sized enterprises within the meaning of Article 3 of Directive 2013/34/EU of the European Parliament and of the Council¹⁰.

Amendment

(64) When implementing this Directive, Member States **should lay down requirements in a clear and concise manner, ensuring legal certainty and predictable registration procedures, and** should seek to minimise the administrative burden on the entities concerned, in particular micro, small and medium-sized enterprises within the meaning of Article 3 of Directive 2013/34/EU of the European Parliament and of the Council¹⁰.

¹⁰ Directive (EU) 2013/34 of the

¹⁰ Directive (EU) 2013/34 of the

European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 17, ELI: <http://data.europa.eu/eli/dir/2013/34/oj>).

European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 17, ELI: <http://data.europa.eu/eli/dir/2013/34/oj>).

Amendment 61

Proposal for a directive Recital 65

Text proposed by the Commission

(65) Regulations (EU) 2016/679¹¹ and (EU) 2018/1725¹² of the European Parliament and of the Council apply to the processing of personal data carried out in the context of this Directive, including the processing of personal data to maintain the national register or registers on entities carrying out interest representation activities on behalf of third country **entities**, to access personal data in such national register or registers and to exchange personal data in the context of administrative cooperation and mutual assistance between Member States under this Directive, including the use of IMI, and the keeping of records in accordance with this Directive's record-keeping obligations. Any processing of personal data for such purposes should amongst others comply with the principles

Amendment

(65) Regulations (EU) 2016/679¹¹ and (EU) 2018/1725¹² of the European Parliament and of the Council apply to the processing of personal data carried out in the context of this Directive, including the processing of personal data to maintain the national register or registers on entities carrying out interest representation activities on behalf of third country **sponsors**, to access personal data in such national register or registers and to exchange personal data in the context of administrative cooperation and mutual assistance between Member States under this Directive, including the use of IMI, and the keeping of records in accordance with this Directive's record-keeping obligations. Any processing of personal data for such purposes should amongst others comply with the principles

of data minimisation, data accuracy and storage limitation and fulfil the requirements of data integrity and confidentiality. Member States should establish the measures ensuring lawful and secure processing as regards the processing of personal data contained in their national register or registers, in accordance with applicable legislation on the protection of personal data.

¹¹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/679/oj>).

¹² Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>).

of data minimisation, data accuracy and storage limitation and fulfil the requirements of data integrity and confidentiality. Member States should establish the measures ensuring lawful and secure processing as regards the processing of personal data contained in their national register or registers, in accordance with applicable legislation on the protection of personal data.

¹¹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/679/oj>).

¹² Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>).

Amendment 62

Proposal for a directive Recital 69

Text proposed by the Commission

(69) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on **XXXX**¹⁵ ,

Amendment

(69) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on **6 February 2024**.

¹⁵ **XXXX**.

Amendment 63

**Proposal for a directive
Article 1 - title**

Text proposed by the Commission

Object and purpose

Amendment

Subject matter and objectives

Amendment 64

**Proposal for a directive
Article 1 - paragraph 1**

Text proposed by the Commission

This Directive lays down harmonised requirements in relation to ***economic activities of*** interest representation carried out on behalf of a third country ***entity***, with a view to ***improving the functioning of the internal market by achieving a common level of transparency across*** the Union.

Amendment

This Directive lays down harmonised requirements in relation to interest representation ***activities of an economic nature*** carried out on behalf of a third country ***sponsor***, with a view to ***influencing the development, formulation and implementation of policies, law or public decision-making processes in*** the Union.

Amendment 65

**Proposal for a directive
Article 1 - paragraph 2**

Text proposed by the Commission

The ***purpose*** of this Directive ***is*** to achieve that transparency ***in such a manner as to avoid*** creating a climate of distrust ***apt*** to deter natural or legal persons from Member States or third countries from engaging with or providing financial support to entities carrying out interest representation on behalf of a third country ***entity***.

Amendment

The ***objectives*** of this Directive ***are to improve the functioning of the internal market for interest representation activities and*** to achieve that ***in respect of those activities a common level of transparency and democratic accountability across the Union without*** creating a climate of distrust ***liable*** to deter natural or legal persons from Member States or third countries from engaging with or providing financial support to entities carrying out interest representation ***activities*** on behalf of a third country ***sponsor. Member States shall ensure that compliance with this Directive does not lead to any restriction of fundamental rights.***

Amendment 66

Proposal for a directive
Article 2 - paragraph 1 - point 1

Text proposed by the Commission

(1) ‘interest representation activity’ means an activity conducted with the objective of influencing the development, formulation or implementation of ***policy or*** legislation, or public decision-making processes, in the Union, ***which could in particular be performed*** through organising or participating in meetings, conferences or events, contributing to or participating in consultations or parliamentary hearings, organising

Amendment

(1) ‘interest representation activity’ means an activity conducted with the objective of influencing the development, formulation or implementation of ***policies, law,*** or public decision-making processes, in the Union through:

communication or advertising campaigns, **organising networks and grassroots initiatives**, preparation of policy and position papers, legislative amendments, opinion polls, surveys or open letters, **or activities in the context of research and education, where they are specifically carried out with that objective;**

- organising or participating in meetings, conferences or events;
- contributing to or participating in consultations or parliamentary hearings;
- organising communication or advertising campaigns, **including on digital platforms or via social media; or**
- preparation of policy and position papers, legislative amendments, opinion polls, surveys or open letters;

Amendment 67

Proposal for a directive Article 2 - paragraph 1 - point 2

Text proposed by the Commission

(2) ‘interest representation service’ means an interest representation activity normally provided for remuneration, **as referred to in** Article 57 of the Treaty on the functioning of the European Union;

Amendment

(2) ‘interest representation service’ means an interest representation activity **that is** normally provided for remuneration **and therefore constitutes a service within the meaning of** Article 57 of the Treaty on the Functioning of the European Union **(TFEU)**;

Amendment 68

Proposal for a directive

Article 2 - paragraph 1 - point 4 - introductory part

Text proposed by the Commission

Amendment

(4) 'third country **entity**' means:

(4) 'third country **sponsor**' means:

Amendment 69

Proposal for a directive

Article 2 - paragraph 1 - point 4 - point b

Text proposed by the Commission

Amendment

(b) a public or private entity whose actions can be attributed to **an entity** referred to in point (a), taking into account all relevant circumstances;

(b) a public or private entity whose actions can be attributed to **a sponsor** referred to in point (a), taking into account all relevant circumstances, **such as the ability of the sponsor to exercise decisive influence or ultimate control over the entity**;

Amendment 70

Proposal for a directive

Article 2 - paragraph 1 - point 6 - point a

Text proposed by the Commission

Amendment

(a) the total annual remuneration received from a third country **entity** for the provision of an interest representation service, consisting, where the remuneration is non-pecuniary, of its estimated value; or

(a) the total annual remuneration received from a third country **sponsor** for the provision of an interest representation service, consisting, where the remuneration is non-pecuniary, of its estimated value; or

Amendment 71

Proposal for a directive

Article 2 - paragraph 1 - point 9

Text proposed by the Commission

(9) ‘authority responsible for the national register’ means the public authority or body responsible for maintaining a national register as referred to in Article 9 and processing registrations submitted pursuant to this Directive;

Amendment

(9) ‘authority responsible for the national register’ means the **independent** public authority or body responsible for maintaining a national register as referred to in Article 9 and processing registrations submitted pursuant to this Directive;

Amendment 72

**Proposal for a directive
Article 3 - paragraph 1 - point a**

Text proposed by the Commission

(a) an interest representation service provided to a third country **entity**;

Amendment

(a) an interest representation service provided to a third country **sponsor**;

Amendment 73

**Proposal for a directive
Article 3 - paragraph 1 - point b**

Text proposed by the Commission

(b) an interest representation activity carried out by a third country **entity** referred to in Article 2(4), point (b), that is linked to or substitutes activities of an economic nature and is thus comparable to an interest representation service as referred to in point (a) of this paragraph.

Amendment

(b) an interest representation activity carried out by a third country **sponsor** referred to in Article 2(4), point (b), that is linked to or substitutes activities of an economic nature and is thus comparable to an interest representation service as referred to in point (a) of this paragraph.

Amendment 74

**Proposal for a directive
Article 3 - paragraph 2 - point a**

Text proposed by the Commission

(a) activities carried out directly by a third country **entity** referred to in Article 2(4), point (a), that are connected with the exercise of official authority, including activities related to the exercise of diplomatic or consular relations between States or international organisations;

Amendment

(a) activities carried out directly by a third country **sponsor** referred to in Article 2(4), point (a), that are connected with the exercise of official authority, including activities related to the exercise of diplomatic or consular relations between States or international organisations;

Amendment 75

Proposal for a directive

Article 3 - paragraph 2 - point a a (new)

Text proposed by the Commission

Amendment

(aa) the provision of media services as defined in Article 2, point (1) of Regulation (EU) 2024/1083 of the European Parliament and of the Council and the provision of audiovisual media services as defined in Article 1, point (1) of Directive 2010/13/EU of the European Parliament and of the Council;

Amendment 76

Proposal for a directive

Article 3 - paragraph 2 - point b - point i

Text proposed by the Commission

Amendment

(i) advice to a third country **entity** to help it ensure that its activities comply with existing legal requirements;

(i) advice to a third country **sponsor** to help it ensure that its activities comply with existing legal requirements;

Amendment 77

Proposal for a directive

Article 3 - paragraph 2 - point b - point ii

Text proposed by the Commission

Amendment

(ii) representation of third country **entities** in the context of a conciliation or mediation procedure aimed at preventing a dispute from being brought before, or adjudicated on by, a judicial or administrative body;

(ii) representation of third country **sponsor** in the context of a conciliation or mediation procedure aimed at preventing a dispute from being brought before, or adjudicated on by, a judicial or administrative body;

Amendment 78

Proposal for a directive

Article 3 - paragraph 2 - point b - point iii

Text proposed by the Commission

Amendment

(iii) representation of third country **entities** in legal proceedings;

(iii) representation of third country **sponsors** in legal proceedings;

Amendment 79

Proposal for a directive

Article 3 - paragraph 2 - point b a (new)

Text proposed by the Commission

Amendment

(ba) interest representation activities carried out by civil society organisations the statutory objectives of which are to protect and promote the public interest or fundamental rights, including human rights, in accordance with the Charter of Fundamental Rights, provided that those activities are not provided to a third country sponsor as a service within the meaning of Article 57 TFEU or are not carried out by civil society organisations acting as third-

country sponsors under this Directive.

Amendment 80

Proposal for a directive Article 4 - paragraph 1

Text proposed by the Commission

Member States shall not maintain or introduce, for interest representation activities falling within the scope of this Directive, ***provisions diverging from those laid down in*** this Directive, including ***more, or less, stringent provisions to ensure a different level of transparency of those activities.***

Amendment

Member States shall not maintain or introduce ***less stringent provisions than those provided for in this Directive***, for interest representation activities falling within the scope of this Directive. ***When transposing and implementing*** this Directive, ***Member States shall ensure compliance with the Charter of Fundamental Rights***, including ***the rights to freedom of expression and information, to freedom of assembly and association, to freedom of scientific research, including academic freedom, to the protection of personal data, to an effective remedy and to freedom to conduct a business.***

Amendment 81

Proposal for a directive Article 5 - paragraph 1

Text proposed by the Commission

Member States shall ensure that interest representation service providers have the possibility to require the ***entity*** on whose behalf the service is provided to declare whether it is a third country ***entity***.

Amendment

Member States shall ensure that interest representation service providers have the possibility to require the ***sponsor*** on whose behalf the service is provided to declare whether it is a third country ***sponsor***.

Amendment 82

Proposal for a directive Article 6 - paragraph 1

Text proposed by the Commission

1. Member States shall ensure that entities referred to in Article 3(1) include, in their contractual arrangements with subcontractors, the information that the interest representation activity falls within the scope of Article 3(1), as well as an obligation to pass on such information to any further subcontractors. Subcontractors **that have been so informed** shall **not have to comply with** the requirements of **Article 7**, Article 8, Article 10 and Article 11 in respect of the interest representation activity carried out **under the contract containing that information**.

Amendment

1. Member States shall ensure that entities referred to in Article 3(1) **that are main contractors** include, in their contractual arrangements with subcontractors, the information that the interest representation activity falls within the scope of Article 3(1), as well as an obligation to pass on such information to any further subcontractors. **Where such information has been included, the subcontractors and further subcontractors** shall **be exempt from** the requirements of Article 8, Article 10 and Article 11 in respect of the interest representation activity carried out **thereunder**.

Amendment 83

Proposal for a directive Article 6 - paragraph 2

Text proposed by the Commission

2. Member States shall ensure that where the subcontractor subcontracts the interest representation service further, it **shall inform** the main contractor or, where applicable, the subcontractor from which it received the contract to carry out the interest representation activity, of the fact that the interest representation activity has been further subcontracted **and** ensure that the contractual

Amendment

2. Member States shall ensure that where the subcontractor subcontracts the interest representation service further, it **informs** the main contractor or, where applicable, the subcontractor from which it received the contract to carry out the interest representation activity, of the fact that the interest representation activity has been further subcontracted. **Member States shall also**

arrangements include the information that the interest representation activity falls within the scope of Article 3(1).

ensure that the contractual arrangements include the information that the interest representation activity falls within the scope of Article 3(1).

Amendment 84

Proposal for a directive Article 6 - paragraph 3

Text proposed by the Commission

3. Member States shall ensure that the subcontractor provides the main contractor or, where applicable, **the** subcontractor with the information necessary to comply with the requirements of Article 10.

Amendment

3. Member States shall ensure that the subcontractor provides the main contractor or, where applicable, **a further** subcontractor with the information necessary to comply with the requirements of Article 10.

Amendment 85

Proposal for a directive Article 7

Text proposed by the Commission

Article 7

Record-keeping

1. Member States shall ensure that entities referred to in Article 3(1) keep, for each interest representation activity that falls within the scope of that Article, records of the following:

(a) the identity or name of the third country entity on whose behalf the activity is carried out, as well as the name of the third country whose interests are represented;

(b) a description of the

Amendment

deleted

purpose of the interest representation activity;

(c) contracts and key exchanges with the third country entity essential to understand the nature and purpose of the interest representation activity, including, where applicable, the records of the means and extent of any remuneration;

(d) information or material constituting a key component of the interest representation activity.

2. Member States shall ensure that entities referred to in Article 3(1) keep the records referred to in paragraph 1 for 4 years after the interest representation activity in question has ceased.

3. Member States shall ensure that entities referred to in Article 3(1) draw up, on an annual basis, the following:

(a) a list of all third country entities on whose behalf they have carried out interest representation activities in the preceding financial year;

(b) a list of the aggregated annual amount received in respect of the activities that fall within the scope of Article 3(1) in the preceding financial year per third country.

4. Member States shall ensure that entities referred to in Article 3(1) keep records of the information referred to in paragraph 3 for 4 years.

Amendment 86

Proposal for a directive Article 8 - paragraph 3

Text proposed by the Commission

3. Member States shall ensure that the legal representative may be held liable for non-compliance with obligations under this Directive by the entity it represents, without prejudice to the liability and legal actions that could be initiated against that entity. Member States shall ensure that entities referred to in Article 3(1) provide their legal representative with necessary powers and sufficient resources to guarantee efficient and timely cooperation with the Member States' competent authorities, and to ensure the compliance with their decisions.

Amendment

3. Member States shall ensure that entities referred to in Article 3(1) provide their legal representative with necessary powers and sufficient resources to guarantee efficient and timely cooperation with the Member States' competent authorities, and to ensure the compliance with their decisions.

Amendment 87

Proposal for a directive Article 9 - paragraph 2

Text proposed by the Commission

2. The national register or, as relevant, registers shall be maintained by authorities responsible for the national registers. For the processing of personal data, such authorities shall act as controllers within the meaning of Article 4, point (7) of Regulation (EU) 2016/679.

Amendment

2. The national register or, as relevant, registers shall be maintained by **independent** authorities responsible for the national registers **in accordance with Article 15 of this Directive. The national registers shall be interoperable between themselves.** For the processing of personal data, such authorities shall act as controllers within the meaning of Article 4, point (7) of Regulation (EU) 2016/679.

Amendment 88

Proposal for a directive Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a

Central public access portal

- 1. The Commission shall establish a central public access portal as a decentralised system for the interconnection of the national registers referred to in Article 9.**
- 2. The system referred to in paragraph 1 shall include a web portal that serves as a central public electronic access point to the information in the system. The web portal shall offer a search service in all official languages of the Union in order to facilitate the making available to the public of the information referred to in Article 12(1).**
- 3. For the processing of personal data, the Commission shall act as controller within the meaning of Article 4, point (7), of Regulation (EU) 2016/679.**
- 4. By [one year from the date of entry into force of this Directive], the Commission shall adopt a delegated act in accordance with Article 23 to supplement this Directive by setting out:**
 - (a) the technical specifications determining the means and methods of**

communication for the system ensuring the interconnection and interoperability of the national registers;

(b) the technical measures on which the minimum information technology security standards applicable to the communication and distribution of information within the system ensuring the interconnection of the national registers are based;

(c) minimum criteria for the search service and for the presentation of the results of such searches, which are to be provided by the European portal in accordance with Article 12(1); and

(d) the means of and the technical conditions for making available the services provided by the system ensuring the interconnection of the national registers.

5. The system referred to in paragraph 1 shall be connected to the to the Single Digital Gateway established by Regulation EU (2018/1724).

Amendment 89

Proposal for a directive Article 10 - paragraph 1 - subparagraph 1

Text proposed by the Commission

Member States shall ensure that ***an*** entity referred to in Article 3(1) established in their territory registers in a national register at the latest ***when*** the interest representation activities ***are commenced***.

Amendment

Member States shall ensure that ***each*** entity referred to in Article 3(1) established in their territory registers in a national register at the latest ***before starting*** the interest representation activities.

Amendment 90

Proposal for a directive Article 10 - paragraph 3

Text proposed by the Commission

3. If an entity referred to in Article 3(1) is not established in the Union, it shall register in the Member State where its legal representative designated pursuant to Article 8 is established or, in the absence of a place of establishment, has **his or her** permanent address or usually resides.

Amendment

3. If an entity referred to in Article 3(1) is not established in the Union, it shall register in the Member State where its legal representative designated pursuant to Article 8 is established or, in the absence of a place of establishment, has **its** permanent address or usually resides.

Amendment 91

Proposal for a directive Article 10 - paragraph 4

Text proposed by the Commission

4. Member States shall ensure that, for the purpose of registration, an entity is required to submit **only** the information set out in Annex I.

Amendment

4. Member States shall ensure that, for the purpose of registration, an entity is required to submit the information set out in Annex I.

Amendment 92

Proposal for a directive Article 10 - paragraph 6 - point a

Text proposed by the Commission

(a) **within a reasonable period of time**, changes or additions to the data provided pursuant to Annex I, point 1, points (a), (b), (f)(i) and (f)(ii);

Amendment

(a) **without undue delay**, changes or additions to the data provided pursuant to Annex I, point 1, points (a), (b), (f)(i) and (f)(ii);

Amendment 93

Proposal for a directive

Article 10 - paragraph 7 - subparagraph 2

Text proposed by the Commission

That authority shall process the request within 5 working days and remove the registered entity from the national register if it considers that the entity no longer qualifies as an entity referred to in Article 3(1) or, **as the case may be**, should no longer be registered in the register for which it is responsible. The decision of the authority responsible for the relevant national register shall be subject to administrative and judicial redress in the Member State of registration.

Amendment

That authority shall process the request within 5 working days and remove the registered entity from the national register if it considers that the entity no longer qualifies as an entity referred to in Article 3(1) or should no longer be registered in the register for which it is responsible. The decision of the authority responsible for the relevant national register shall be subject to administrative and judicial redress in the Member State of registration.

Amendment 94

Proposal for a directive

Article 10 - paragraph 7 a (new)

Text proposed by the Commission

Amendment

7a. Member States shall ensure that the authority responsible for a national register from which an entity has been removed keeps the information about the entity referred to in paragraph 4 for four years after that entity has been removed from the register pursuant to paragraph 7.

Amendment 95

Proposal for a directive

Article 10 - paragraph 8

Text proposed by the Commission

8. Member States shall ensure that registration, updates, requests to be removed from the register and requests pursuant to Article 12(3) can be made by electronic means and **are** free of charge.

Amendment

8. Member States shall ensure that registration, updates, requests to be removed from the register and requests pursuant to Article 12(3) can be made by electronic means and free of charge.

Amendment 96

Proposal for a directive Article 10 - paragraph 8 a (new)

Text proposed by the Commission

Amendment

8a. Member States may, in accordance with the Treaties, maintain in their legal systems existing measures which were in application before [the date of the entry into force of this Directive], in accordance with which the entities referred to in Article 3(1) are required to submit, for the purpose of registration, information that does not contain personal data in addition to the information referred to in Annex I, point 1, where those measures are necessary and justified by public interest objectives and are proportionate in that they are suitable for securing the attainment of the objectives pursued and do not go beyond what is necessary to attain those objectives.

Amendment 97

Proposal for a directive Article 11 - paragraph 2

Text proposed by the Commission

2. Where the information provided for the purposes of registration is incomplete or contains manifest errors, the authority responsible for the national register shall ask the entity to complete or rectify its submission. Within **5** working days of receiving a response from the entity in question, the authority responsible for the national register shall either include a corresponding entry in its national register, or refuse to make such an entry and inform the entity in question why the submission remains incomplete or contains manifestly incorrect information.

Amendment

2. Where the information provided for the purposes of registration is incomplete or contains manifest errors, the authority responsible for the national register shall ask the entity to complete or rectify its submission. Within **five** working days of receiving a response from the entity in question, the authority responsible for the national register shall either include a corresponding entry in its national register, or refuse to make such an entry and inform the entity in question why the submission remains incomplete or contains manifestly incorrect information.

Amendment 98

Proposal for a directive Article 11 - paragraph 3

Text proposed by the Commission

3. Once an entry is included in the national register, the registered entity shall **immediately** and at the latest within **5** working days receive a confirmation of registration from the authority responsible for the national register **and** shall be issued with a unique EIRN, and a digital copy of the information included in the national register. The EIRN shall be in the format set out in Annex II.

Amendment

3. Once an entry is included in the national register, the registered entity shall **without undue delay** and at the latest within **five** working days receive a confirmation of registration from the authority responsible for the national register. **The registered entity** shall be issued with a unique EIRN, and a digital copy of the information included in the national register. The EIRN shall be in the format set out in Annex II.

Amendment 99

Proposal for a directive
Article 11 - paragraph 4

Text proposed by the Commission

4. Member States shall ensure that each new registration is notified by the authority responsible for the national register of the Member State of registration to the national authorities designated pursuant to Article 15(1) of the Member States indicated in the registration pursuant to Annex I, point 2(e) immediately and at the latest within **5** working days from the entry in the national register. Such notification shall also take place where, pursuant to Article 10(6), a registered entity submits a change or an addition to the information referred to in Annex I, point 2(e). The notification shall contain the name of the registered entity, its EIRN and a link to the national registers where the registration took place.

Amendment

4. Member States shall ensure that each new registration is notified by the authority responsible for the national register of the Member State of registration to the national authorities designated pursuant to Article 15(1) of the Member States indicated in the registration pursuant to Annex I, point 2(e) immediately and at the latest within **five** working days from the entry in the national register. Such notification shall also take place where, pursuant to Article 10(6), a registered entity submits a change or an addition to the information referred to in Annex I, point 2(e). The notification shall contain the name of the registered entity, its EIRN and a link to the national registers where the registration took place.

Amendment 100

Proposal for a directive
Article 11 - paragraph 5

Text proposed by the Commission

5. Member States shall provide that authorities responsible for maintaining the national registers in the Member State receiving the notification referred to in paragraph 4 include, in the relevant register, the information laid down in that notification immediately and at the latest within 5 working days. Information on the registered entity shall not be made public if,

Amendment

5. Member States shall provide that authorities responsible for maintaining the national registers in the Member State receiving the notification referred to in paragraph 4 include, in the relevant register, the information laid down in that notification immediately and at the latest within 5 working days. Information on the registered entity shall not be made public if,

in the relevant national register of the Member State of registration, that information is the object of **a derogation from** publication in accordance with Article 12(3).

in the relevant national register of the Member State of registration, that information is the object of **an exemption from the** publication in accordance with Article 12(3).

Amendment 101

Proposal for a directive Article 11 - paragraph 9

Text proposed by the Commission

9. Where a supervisory authority has reliable information of possible non-compliance by an entity registered in a register for which it has jurisdiction pursuant to Article 15(3) with the obligations provided for in the national provisions adopted pursuant to Article 10, such as providing inaccurate information in the registration, it may ask that entity to provide the information referred to in Article 7 to the extent necessary to investigate the possible non-compliance.

Amendment

9. Where a supervisory authority has reliable information of possible non-compliance by an entity registered in a register for which it has jurisdiction pursuant to Article 15(3) with the obligations provided for in the national provisions adopted pursuant to Article 10, such as providing inaccurate information in the registration, it may ask that entity to provide the information referred to in Article **16** to the extent necessary to investigate the possible non-compliance.

Amendment 102

Proposal for a directive Article 11 - paragraph 10 - point c

Text proposed by the Commission

(c) information on the judicial review procedures available.

Amendment

(c) information on the **administrative or** judicial review procedures available.

Amendment 103

Proposal for a directive Article 11 - paragraph 11

Text proposed by the Commission

11. **The** entity to **whom** the request is made shall provide, within **10** working days, the information requested pursuant to paragraphs 8 and 9 in a complete and accurate manner.

Amendment

11. **An** entity to **which** the request is made shall provide, within **15** working days, the information requested pursuant to paragraphs 8 and 9 in a complete and accurate manner.

Amendment 104

**Proposal for a directive
Article 11 - paragraph 12**

Text proposed by the Commission

12. The requests referred to in paragraphs 8 and 9 shall be subject to judicial review procedures in the Member State of the supervisory authority which makes the request.

Amendment

12. The requests referred to in paragraphs 8 and 9 shall be subject to **administrative or** judicial review procedures in the Member State of the supervisory authority which makes the request.

Amendment 105

**Proposal for a directive
Article 12 - paragraph 1 - subparagraph 1 - point a**

Text proposed by the Commission

(a) information provided by the registered entity in accordance with Annex I, point 1, points (a), (e), (f)(i), **(f)(ii)**, (h), (i), (j) and (k) and point 2, points (a)(i), and points (b) to (h);

Amendment

(a) information provided by the registered entity in accordance with Annex I, point 1, points (a), (e), (f)(i), (h), (i), (j) and (k) and point 2, points (a)(i), and points (b) to (h);

Amendment 106

**Proposal for a directive
Article 12 - paragraph 3**

Text proposed by the Commission

3. Member States shall ensure that entities referred to in Article 3(1) **are able** to apply for **a derogation** from the publication referred to in paragraph 1 by duly reasoned request. The supervisory authority shall take a decision limiting partially or fully public access where the requesting entity demonstrates, taking into account the circumstances of the individual case, that to do so is justified on grounds of a legitimate interest, including a **serious** risk that the publication would expose an individual to a violation of their fundamental rights, in particular as protected under Article 1, Article 2, Article 3, Article 4 or Article 6 of the Charter of Fundamental Rights of the European Union. Otherwise, the supervisory authority shall take a decision rejecting the request.

Amendment

3. Member States shall ensure that entities referred to in Article 3(1) **have the right** to apply for **an exemption** from the publication **requirement** referred to in paragraph 1 by **means of a** duly reasoned request. The supervisory authority shall take a decision limiting partially or fully public access where the requesting entity demonstrates, taking into account the circumstances of the individual case, that to do so is justified on grounds of a legitimate interest, including a risk that the publication would expose an individual to a violation of their **that individual's** fundamental rights, in particular as protected under Article 1, Article 2, Article 3, Article 4 or Article 6 of the Charter of Fundamental Rights of the European Union. Otherwise, the supervisory authority shall take a decision rejecting the request.

Amendment 107

**Proposal for a directive
Article 12 - paragraph 3 a (new)**

Text proposed by the Commission

Amendment

3a. Member States shall ensure that the decision to grant an exemption from the requirement to publish the information referred to in paragraph 1, or to limit public access, partially or fully, may be taken ex officio by the competent supervisory authority, or, where

applicable, at the request of a supervisory authority of another Member State, where it has reason to believe that there is a risk that the publication might expose an individual to a violation of that individual's fundamental rights and that the partial or full limitation of public access may eliminate or reduce this risk.

Amendment 108

Proposal for a directive Article 12 - paragraph 4

Text proposed by the Commission

4. Any decision taken pursuant to paragraph 3 shall be subject to judicial redress in the Member State of registration. Member States shall ensure that any review procedures, including judicial redress, are carried out within a reasonable period of time and that a final decision is taken promptly.

Amendment

4. Any decision taken pursuant to paragraph 3 ***and 3a*** shall be subject to ***administrative and*** judicial redress in the Member State of registration. Member States shall ensure that any review procedures, including judicial redress, are carried out within a reasonable period of time and that a final decision is taken promptly.

Amendment 109

Proposal for a directive Article 12 - paragraph 6

Text proposed by the Commission

6. Member States shall ensure that where a decision referred to in paragraph 3 has become final, the entry in the national register to which that decision relates indicates, as the case may be, that public access has been partially or fully limited.

Amendment

6. Member States shall ensure that where a decision referred to in paragraph 3 ***and 3a*** has become final, the entry in the national register to which that decision relates indicates, as the case may be, that public access has been partially or fully limited.

Amendment 110

Proposal for a directive

Article 13 - paragraph 1 - introductory part

Text proposed by the Commission

1. Starting on 31 March [year after the transposition deadline], and by 31 March of each subsequent year, each Member State shall publish, and transmit to the Commission, a report based on the information provided by the entities registered in their national registers. This report shall contain **only**:

Amendment

1. Starting on 31 March [year after the transposition deadline], and by 31 March of each subsequent year, each Member State shall publish, and transmit to the Commission, a report based on the information provided by the entities registered in their national registers. This report shall contain:

Amendment 111

Proposal for a directive

Article 13 - paragraph 1 - point a

Text proposed by the Commission

(a) aggregated data on the annual amounts per third country in the preceding financial year. That aggregated data **should** be based on the information provided pursuant to Annex I, point 2, points (b) and (c);

Amendment

(a) aggregated data on the annual amounts per third country in the preceding financial year. That aggregated data **shall** be based on the information provided pursuant to Annex I, point 2, points (b) and (c);

Amendment 112

Proposal for a directive

Article 13 - paragraph 1 - point b

Text proposed by the Commission

(b) aggregated data on the annual amounts per category of organisation for each third country in the preceding financial year. That aggregated data

Amendment

(b) aggregated data on the annual amounts per category of organisation for each third country in the preceding financial year. That aggregated data **shall**

should be based on the information provided pursuant to Annex I, point 1, point (h) and point 2, point (b) and (c);

be based on the information provided pursuant to Annex I, point 1, point (h) and point 2, point (b) and (c);

Amendment 113

Proposal for a directive Article 13 - paragraph 1 - point c

Text proposed by the Commission

(c) total number of third country **entities** that can be attributed to a specific third country. That aggregated data **should** be based on the information provided pursuant to Annex I, point 2, point (b);

Amendment

(c) total number of third country **sponsors** that can be attributed to a specific third country. That aggregated data **shall** be based on the information provided pursuant to Annex I, point 2, point (b);

Amendment 114

Proposal for a directive Article 13 - paragraph 1 - point d a (new)

Text proposed by the Commission

Amendment

(da) an analysis for each Member State of registration of the interest representation activities carried out in Member States other than that Member State of registration, based on the information provided pursuant to Annex I, point 2 (e).

Amendment 115

Proposal for a directive Article 15 - paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. For the purposes of paragraph 1 of this Article,

each Member State may appoint a single authority as the competent national authority responsible for the national registers and for performing the supervisory tasks pursuant to this Directive.

Amendment 116

Proposal for a directive Article 15 - paragraph 5

Text proposed by the Commission

5. Where a Member State designates more than one supervisory authority, it shall ensure that the tasks of each of those authorities are clearly ***defined*** and that they cooperate closely and effectively when performing their tasks. Member States shall identify the supervisory authority to which communications ***may*** be addressed for transmission to the appropriate authority within that Member State.

Amendment

5. Where a Member State designates more than one supervisory authority, it shall ensure that the tasks of each of those authorities are clearly ***set out in its national law*** and that they cooperate closely and effectively when performing their tasks. Member States shall identify the supervisory authority to which communications ***can*** be addressed for transmission to the appropriate authority within that Member State.

Amendment 117

Proposal for a directive Article 15 - paragraph 6

Text proposed by the Commission

6. Member States shall ensure that the ***supervisory authority is*** independent in the exercise of ***its*** functions. ***In particular, Member States shall ensure that the staff in supervisory authorities acting in the exercise of their powers pursuant to this Directive:***

Amendment

6. Member States shall ensure that the ***national authorities designated pursuant to paragraph 1*** are independent in the exercise of ***their*** functions.

(a) are able to perform their duties independently, free from political and other external influence, and neither seek nor take instructions from government or any other public or private entity;

(b) refrain from taking any action which is incompatible with the performance of their duties and the exercise of their powers under this Directive.

Amendment 118

Proposal for a directive Article 15 - paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Member States shall ensure that the procedures for the appointment of the governing bodies of the supervisory authorities are transparent, non-discriminatory and guarantee the requisite degree of independence.

Amendment 119

Proposal for a directive Article 15 - paragraph 6 b (new)

Text proposed by the Commission

Amendment

6b. Member States shall ensure that the staff in supervisory authorities acting in the exercise of their powers pursuant to this Directive:

(a) are able to perform their duties independently, impartially and transparently,

free from political and other external influence, and neither seek nor take instructions from government or any other public or private entity;

(b) refrain from taking any action which is incompatible with the performance of their duties and the exercise of their powers under this Directive.;

(c) have the necessary skills, knowledge and expertise to effectively carry out their tasks and make informed decisions in accordance with the objectives of this Directive, including the expertise to detect and address risks to the protection of fundamental rights, in particular risk to the freedom of assembly and association.

Amendment 120

Proposal for a directive Article 15 - paragraph 7

Text proposed by the Commission

7. Member States shall ensure that the national authorities designated pursuant to paragraph 1 have all necessary means to carry out the tasks assigned to them under this Directive, including sufficient technical, financial and human resources.

Amendment

7. Member States shall ensure that the national authorities designated pursuant to paragraph 1 have all necessary means to carry out the tasks assigned to them under this Directive, including, ***as applicable, contributing to the work of the advisory group pursuant to Article 19,*** including sufficient technical, financial and human resources.

Amendment 121

Proposal for a directive
Article 15 - paragraph 7 a (new)

Text proposed by the Commission

Amendment

7a. Where, in accordance with Article 10(8a), Member States maintain in their legal systems existing measures in accordance with which the entities referred to in Article 3(1) are required to submit, for the purpose of registration, information in addition to the information referred to in point 1 of Annex I, those Member States shall ensure that the national competent authorities designated pursuant to paragraph 1 of this Article have the power to request such additional information from entities referred to in Article 3(1), carrying out interest representation services on behalf of third countries in their territory and registered in another Member State.

Amendment 122

Proposal for a directive
Article 15 - paragraph 8

Text proposed by the Commission

Amendment

8. Member States shall ensure that, in carrying out the tasks assigned to them under this Directive, the national authorities designated pursuant to paragraph 1 ensure that no adverse consequences, such as stigmatisation, arise from the mere fact that an entity is a registered entity or has been

8. Member States shall ensure that, in carrying out the tasks assigned to them under this Directive, the national authorities designated pursuant to paragraph 1 **act in a non-discriminatory manner. Member States shall also** ensure that no adverse consequences, such as stigmatisation, arise from the

subject to a request pursuant to Article 16(3).

mere fact that an entity is a registered entity or has been subject to a request pursuant to Article 16(3).

Amendment 123

Proposal for a directive Article 16 - paragraph 3 - introductory part

Text proposed by the Commission

Amendment

3. Except in cases referred to in Article 11(8) and (9), a request can only be made in the following cases and must be limited to the **records kept in accordance with** Article 7:

3. Except in cases referred to in Article 11(8) and (9) **and Article 15(7a)**, a request can only be made in the following cases and must be limited to the **information referred to in paragraph 3a of this** Article:

Amendment 124

Proposal for a directive Article 16 - paragraph 3 - point a

Text proposed by the Commission

Amendment

(a) the registered entity received an annual amount that exceeds EUR 1 000 000 for a single third country **entity** in the preceding financial year;

(a) the registered entity received an annual amount that exceeds EUR 1 000 000 for a single third country **sponsor** in the preceding financial year;

Amendment 125

Proposal for a directive Article 16 - paragraph 3 - subparagraph 1 - point b

Text proposed by the Commission

Amendment

the actions of the third country **entity** on whose behalf the registered entity is acting are attributable to a third country that has spent, in one of the five preceding financial years, and

the actions of the third country **sponsor** on whose behalf the registered entity is acting are attributable to a third country that has spent, in one of the five preceding financial years, and

taking into account all third country **entities** whose actions can be attributed to this third country, an aggregate annual amount that exceeds either of the following:

taking into account all third country **sponsors** whose actions can be attributed to this third country, an aggregate annual amount that exceeds either of the following:

Amendment 126

Proposal for a directive Article 16 - paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The supervisory authority referred to in paragraph 2 of this Article may request the following information:

(a) copies of the contracts with the third country sponsor that are necessary to understand the nature and purpose of the interest representation activity, including, where applicable, the records of the means and extent of any remuneration;

(b) a list of all third country sponsors on whose behalf they have carried out interest representation activities in the preceding financial year;

(c) a list of the aggregated annual amount received in respect of the activities that fall within the scope of Article 3(1) in the preceding financial year per third country.

Amendment 127

Proposal for a directive Article 16 - paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. Member States shall ensure that entities referred to in Article 3(1) keep records of the information referred to in point (a) of paragraph 3a of this Article for four years after the interest representation activity in question has ceased.

Amendment 128

**Proposal for a directive
Article 16 - paragraph 3 c (new)**

Text proposed by the Commission

Amendment

3c. Member States shall ensure that entities referred to in Article 3(1) keep records of the information referred to in points (b) and (c) of paragraph 3a of this Article for four years.

Amendment 129

**Proposal for a directive
Article 16 - paragraph 4 - point c**

Text proposed by the Commission

Amendment

(c) information on the judicial review procedures available.

(c) information on the **administrative or** judicial review procedures available.

Amendment 130

**Proposal for a directive
Article 16 - paragraph 5**

Text proposed by the Commission

5. Where a supervisory authority other than the supervisory authority of the Member State of registration considers that any of the conditions set out in paragraph 3 are met, it may ask the supervisory authority of the Member State of registration to request records kept in accordance with Article 7 from the registered entity.

Amendment

5. Where a supervisory authority other than the supervisory authority of the Member State of registration considers that any of the conditions set out in paragraph 3 are met, it may ask the supervisory authority of the Member State of registration to request records kept in accordance with **this** Article from the registered entity.

Amendment 131

**Proposal for a directive
Article 16 - paragraph 6 - subparagraph 1**

Text proposed by the Commission

Upon receipt of a request pursuant to paragraph 5 and if it considers that the conditions laid down in paragraphs 3 are met, the supervisory authority of the Member State of registration shall make a request in accordance with paragraph 3 and transmit the information received to the requesting supervisory authority. If the supervisory authority of the Member State of registration has, within the previous 12 months, made a request in accordance with paragraph 3 covering the same information from the same registered entity, it **shall** transmit the information to the requesting supervisory authority without **having to make** a new request.

Amendment

Upon receipt of a request pursuant to paragraph 5 and if it considers that the conditions laid down in paragraphs 3 are met, the supervisory authority of the Member State of registration shall make a request in accordance with paragraph 3 and transmit the information received to the requesting supervisory authority. If the supervisory authority of the Member State of registration has, within the previous 12 months, made a request in accordance with paragraph 3 covering the same information from the same registered entity, it **may** transmit the information to the requesting supervisory authority without **making** a new request.

Amendment 132

**Proposal for a directive
Article 16 - paragraph 8**

Text proposed by the Commission

8. The requests referred to in paragraph 3 shall be subject to judicial review procedures in the Member State of the supervisory authority which makes the request.

Amendment

8. The requests referred to in paragraph 3 shall be subject to **administrative or** judicial review procedures in the Member State of the supervisory authority which makes the request.

Amendment 133

**Proposal for a directive
Article 17 - paragraph 1**

Text proposed by the Commission

1. Member States shall ensure that their supervisory authorities cooperate with the supervisory authorities of all other Member States **as necessary**.

Amendment

1. Member States shall ensure that their supervisory authorities cooperate with the supervisory authorities of all other Member States **and exchange relevant information with them**.

Amendment 134

**Proposal for a directive
Article 17 - paragraph 3 - subparagraph 1 - point b**

Text proposed by the Commission

(b) a description of the relevant facts, the **relevant** provisions of this Directive and the **reasons why the notifying authority suspects** an infringement **of this Directive**;

Amendment

(b) a description of the relevant facts, the **applicable** provisions of this Directive and the **grounds for suspecting** an infringement.

Amendment 135

**Proposal for a directive
Article 17 - paragraph 5**

Text proposed by the Commission

5. Where the supervisory authority of the main establishment does not have sufficient information to act upon a notification referred to in paragraph 2, it **may** request additional information from the competent authority that made the notification.

Amendment

5. Where the supervisory authority of the main establishment does not have sufficient information to act upon a notification referred to in paragraph 2, it **shall** request additional information from the competent authority that made the notification.

Amendment 136

Proposal for a directive Article 17 - paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Member States shall ensure that supervisory authorities are competent to request the following information from the supervisory authorities of another Member State, where such information is necessary for the purpose of the cross-border cooperation as referred to in paragraph 2:

(a) information provided by a registered entity in accordance with Article 10(4);

(b) any analyses carried out by a supervisory authority on the basis of the information referred to in point (a) of this paragraph.

Amendment 137

Proposal for a directive Article 17 - paragraph 5 b (new)

Text proposed by the Commission

Amendment

5b. Member States shall ensure that, upon receipt of an information request pursuant to paragraph 5a, the supervisory authority of the Member State of registration transmits the information to the requesting supervisory authority, unless it determines that the requirements of paragraph 5a are not met. In such a case, the supervisory authority of the Member State of registration shall provide the requesting supervisory authority with a detailed explanation.

Amendment 138

**Proposal for a directive
Article 17 - paragraph 5 c (new)**

Text proposed by the Commission

Amendment

5c. Member States shall ensure that supervisory authorities provide the Commission, at its request, which shall contain a statement of reasons, with aggregate data based on the information provided by registered entities in accordance with Article 10(4) for the purpose of monitoring the implementation of this Directive, including for the preparation of meetings of the advisory group referred to in Article 18. Such aggregate data may contain personal data if it is necessary to ensure effective monitoring. Where technically possible,

the information shall be transmitted in a machine-readable format.

Amendment 139

Proposal for a directive Article 17 - paragraph 5 d (new)

Text proposed by the Commission

Amendment

5d. When processing personal data pursuant to paragraphs 5a to 5c, the supervisory authorities shall act as controllers within the meaning of Regulation (EU) 2016/679, and the Commission shall act as a controller within the meaning of Regulation (EU) 2018/1725 with respect to their own data processing activities.

Amendment 140

Proposal for a directive Article 17 - paragraph 6

Text proposed by the Commission

Amendment

6. The administrative cooperation and exchanges of information between the national authorities designated pursuant to Article 15(1), as well as the supervisory authorities and the Commission, pursuant to paragraphs 2, 4 **and 5**, Article 11(4), Article **16(5) and (6)** and Article **18** of this Directive, shall be implemented through the IMI system established by Regulation (EU) No 1024/2012.

6. The administrative cooperation and exchanges of information between the national authorities designated pursuant to Article 15(1), as well as the supervisory authorities and the Commission, pursuant to paragraphs 2, 4, **5, 5a, 5b, 5c**, Article 11(4), Article **12(3a)** and Article **16(5) and (6)** of this Directive, shall be implemented through the IMI system established by Regulation (EU) No 1024/2012.

Amendment 141

Proposal for a directive Article 18

Text proposed by the Commission

Amendment

Article 18

deleted

Cross-border information sharing between supervisory authorities

1. Member States shall ensure that supervisory authorities are competent to request the following information from the supervisory authorities of another Member State, where such information is necessary for the purpose of exercising cross-border cooperation as referred to in Article 17(2):

(a) information provided by a registered entity in accordance with Article 10(4);

(b) any analyses carried out by a supervisory authority on the basis of the information referred to in point (a).

2. Member States shall ensure that upon receipt of a request pursuant to paragraph 1, the supervisory authority of the Member State of registration shall transmit the information to the requesting supervisory authority, unless it considers that the requirements of paragraph 1 are not met, in which case it shall provide the requesting supervisory authority with a reply explaining the reasons for not providing the information in question.

3. Member States shall ensure that the supervisory

authorities provide the Commission, on its request, with aggregate data based on the information provided by registered entities in accordance with Article 10(4) for the purpose of monitoring the implementation of this Directive, including for the preparation of meetings of the advisory group referred to in Article 19. Such aggregate data may contain personal data only to the extent that is necessary to ensure effective monitoring. Where technically possible, the information shall be transmitted in a machine-readable format.

4. When processing personal data pursuant to paragraphs 1 to 3, the supervisory authorities shall act as controllers within the meaning of Article 4, point 7 of Regulation (EU) 2016/679, and the Commission shall act as a controller within the meaning of Article 3, point 8 of Regulation (EU) 2018/1725 with respect to their own data processing activities.

Amendment 142

Proposal for a directive Article 19 - paragraph 2 - point b

Text proposed by the Commission

(b) facilitate exchanges and sharing of information and best practices on the specific needs of micro, small and medium-sized enterprises within the meaning of Article 3 of Directive 2013/34/EU;

Amendment

(b) facilitate exchanges and sharing of information and best practices on the specific needs ***of civil society organisations and*** of micro, small and medium-sized enterprises within the meaning of Article 3 of Directive 2013/34/EU;

Amendment 143

Proposal for a directive

Article 19 - paragraph 2 - point b a (new)

Text proposed by the Commission

Amendment

(ba) identifying best practices in order to protect fundamental rights and increase transparency;

Amendment 144

Proposal for a directive

Article 19 - paragraph 2 - point d

Text proposed by the Commission

Amendment

(d) report to the Commission any divergences in the application of this Directive;

(d) report to the Commission any divergences in the application of this Directive **and in the application of the measures referred to in Article 10(8a);**

Amendment 145

Proposal for a directive

Article 19 - paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. At the request of the Commission or at least one of the authorities concerned, the advisory group shall draw up opinions with respect to national measures which are likely to affect the functioning of the internal market for interest representation, in particular those taken by national authorities with respect to Article 9(3), Article 10(8a), Article 12(3), Article

**15(1), (2), (6) and (8), and
Article 16(6) of this Directive.**

Amendment 146

Proposal for a directive Article 19 - paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Commission may convene the advisory group at the request of a Member State regarding possible serious non-compliance with this Directive.

Amendment 147

Proposal for a directive Article 19 - paragraph 4

Text proposed by the Commission

Amendment

4. Representatives of the European Parliament, **or** of the European Free Trade Association States that are contracting parties to the Agreement on the European Economic Area¹⁷, may be invited to attend meetings of the advisory group as observers.

4. Representatives of the European Parliament **shall be invited to attend meetings of the advisory group as observers. Representatives** of the European Free Trade Association States that are contracting parties to the Agreement on the European Economic Area¹⁷, may be invited to attend meetings of the advisory group as observers. **The advisory group may invite civil society organisations to attend the meetings at least once a year as part of an open and structured dialogue on the implementation of this Directive.**

¹⁷ Agreement on the European Economic Area (OJ L 1, 3.1.1994,

¹⁷ Agreement on the European Economic Area (OJ L 1, 3.1.1994,

p. 3, ELI:
http://data.europa.eu/eli/agree_international/1994/1/oj).

p. 3, ELI:
http://data.europa.eu/eli/agree_international/1994/1/oj).

Amendment 148

Proposal for a directive Article 22 - paragraph 1 - subparagraph 1

Text proposed by the Commission

Member States shall lay down rules on ***sanctions, limited to*** administrative fines, ***for*** infringements of national provisions adopted to ***transpose*** Article 6, ***Article 7***, Article 8, Article 10, Article 11, Article 14, Article 16 and Article 20 by entities referred to in Article 3(1) or where appropriate, their legal representative. ***Those rules shall comply with paragraphs 2 to 6.***

Amendment

Member States shall lay down rules on administrative fines ***applicable to*** infringements of national provisions adopted ***pursuant*** to Article 6, Article 8, Article 10, Article 11, Article 14, Article 16 and Article 20 ***of this Directive*** by entities referred to in Article 3(1) or where appropriate, their legal representative.

Amendment 149

Proposal for a directive Article 22 - paragraph 1 - subparagraph 1 a (new)

Text proposed by the Commission

Amendment

In cases of a serious infringement or of repeated or recurrent infringements of national provisions adopted pursuant to Article 6, Article 8, Article 10, Article 11, Article 14, Article 15(7a), Article 16 and Article 20 of this Directive, Member States may decide to temporarily suspend or withdraw an entity's registration.

Amendment 150

Proposal for a directive Article 22 - paragraph 2

Text proposed by the Commission

2. The **maximum amount of the financial sanction referred to paragraph 1 that may be imposed** shall be, **for undertakings, 1 % of the annual worldwide turnover in the preceding financial year, for other legal entities, 1 % of the annual budget of the entity in accordance with the most recent financial year closed and for natural persons, EUR 1 000.**

Amendment

2. The **sanctions shall be effective, proportionate and dissuasive. In determining their nature and their appropriate level, due account shall be taken of the nature, recurrence and duration of the infringement to which those measures relate and any collaboration with the competent national authorities to address the infringement concerned, as well as, where relevant, the economic, technical and operational capacity of the entity referred to in Article 3(1) that committed the infringement.**

Amendment 151

Proposal for a directive Article 22 - paragraph 3

Text proposed by the Commission

3. **The** sanctions shall **in each individual case be effective, proportionate and dissuasive, having regard, in particular, to the nature, recurrence and duration of the infringement to which those measures relate, as well as, where relevant, the economic, technical and operational capacity of the entity referred to in Article 3(1) that committed the infringement.**

Amendment

3. **Before imposing** sanctions, **the supervisory authority** shall **issue a warning or a reprimand to the entity concerned to the effect that it is likely to infringe or has infringed provisions of this Directive, except where such infringement amounts to a violation of Article 20.**

Amendment 152

Proposal for a directive Article 22 - paragraph 4

Text proposed by the Commission

4. Before imposing sanctions, the supervisory authority shall issue a warning or a reprimand to the entity concerned to the effect that it is likely to infringe or has infringed provisions of this Directive, except if such infringement amounts to a violation of Article 20.

Amendment

deleted

Amendment 153

Proposal for a directive Article 23 - paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 10(9), Article 13(3) and Article 16(9) shall be conferred on the Commission for **an indeterminate period** from [the date of entry into force of the Directive].

Amendment

2. The power to adopt delegated acts referred to in **Article 9a(4)**, Article 10(9), Article 13(3) and Article 16(9) shall be conferred on the Commission for **five years** from [the date of entry into force of the Directive]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

Amendment 154

Proposal for a directive Article 23 - paragraph 4

Text proposed by the Commission

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

Amendment

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

Amendment 155

Proposal for a directive Article 23 - paragraph 5

Text proposed by the Commission

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

Amendment

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

Amendment 156

Proposal for a directive Article 23 - paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 10(9), Article 13(3) and Article 16(9) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the

Amendment

6. A delegated act adopted pursuant to Article 10(9), Article 13(3) and Article 16(9) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the

European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment 157

Proposal for a directive

Article 24 - paragraph 1 - point 1 - introductory part

Text proposed by the Commission

1. in Article 2(1), point (a) the following **new** point **(xi)** is added:

Amendment

1. in Article 2(1), point (a) the following point is added:

Amendment 158

Proposal for a directive

Article 24 - paragraph 1 - point 2 - introductory part

Text proposed by the Commission

2. in the Annex, in Part I, the following **new** point **(K)** is added:

Amendment

2. in the Annex, in Part I, the following point is added:

Amendment 159

Proposal for a directive

Article 25 - paragraph 2 - subparagraph 2

Text proposed by the Commission

That evaluation shall assess the effectiveness and proportionality of the Directive. It shall assess among others the need for changes to the scope and the effectiveness of the safeguards provided in the Directive. **It** may, where appropriate, be accompanied by relevant legislative proposals.

Amendment

That evaluation shall assess the effectiveness and proportionality of the Directive. It shall assess among others:

(a) the need for changes to the scope and the effectiveness of the safeguards provided in the Directive, *in particular the safeguards regarding the protection of fundamental rights and the prevention of any form of stigmatisation in the context of its transposition and implementation;*

(b) the interaction between the provisions of this Directive and those regarding the national transparency obligations, including the impact on existing national registers;

(c) the anti-circumvention provisions and the effectiveness of cross-border cooperation mechanisms.

The evaluation may, where appropriate, be accompanied by relevant legislative proposals.

Amendment 160

Proposal for a directive

Article 26 - paragraph 1 - subparagraph 1

Text proposed by the Commission

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [eighteen months **after** the entry into force] at the latest. They shall **forthwith communicate to** the Commission **the text of those provisions**.

Amendment

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [eighteen months **from the date of** the entry into force **of this Directive**] at the latest. They shall **immediately inform** the Commission **thereof**.

Amendment 161

Proposal for a directive
Article 26 - paragraph 1 - subparagraph 2

Text proposed by the Commission

When Member States adopt those **provisions**, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. **Member States shall determine how** such reference **is to be made**.

Amendment

When Member States adopt those **measures**, they shall contain a reference to this Directive or **shall** be accompanied by such a reference on the occasion of their official publication. **The methods of making** such reference **shall be laid down by Member States**.

Amendment 162

Proposal for a directive
Annex I - point 2 - point a - introductory part

Text proposed by the Commission

(a) the following information on each of the third country **entities** on whose behalf the entity carries out the interest representation activity;

Amendment

(a) the following information on each of the third country **sponsors** on whose behalf the entity carries out the interest representation activity;

Amendment 163

Proposal for a directive
Annex I - point 2 - point a - point ii

Text proposed by the Commission

(ii) the address at which the third country **entity** carries on business or, for natural persons, the address at which they ordinarily reside;

Amendment

(ii) the address at which the third country **sponsor** carries on business or, for natural persons, the address at which they ordinarily reside;

Amendment 164

Proposal for a directive
Annex I - point 2 - point a - point iii

Text proposed by the Commission

Amendment

(iii) a description of the entity's main goals, remit and field of interest;

deleted

Amendment 165

Proposal for a directive Annex I - point 2 - point a - point iv

Text proposed by the Commission

Amendment

(iv) where available, the registration number of the third country ***entity*** in a business register or a comparable identifying code;

(iv) where available, the registration number of the third country ***sponsor*** in a business register or a comparable identifying code;

Amendment 166

Proposal for a directive Annex I - point 2 - point b

Text proposed by the Commission

Amendment

(b) the third country on whose behalf the third country ***entity*** is acting;

(b) the third country on whose behalf the third country ***sponsor*** is acting;