



Notification Number: 2015/626/F

Articles 19 and 20 of the Digital Republic Bill (projet de loi pour une République numérique)

Date received : 10/11/2015
End of Standstill : 11/02/2016 (14/03/2016)
Issue of comments by : Sweden
Issue of detailed opinion by : Commission

Message

Message 002

Communication from the Commission - TRIS/(2015) 03487
Directive (EU) 2015/1535
Translation of the message 001
Notification: 2015/0626/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201503487.EN)

1. Structured Information Line

MSG 002 IND 2015 0626 F EN 10-11-2015 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department

Ministère de l'économie, de l'industrie et du numérique



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4. Notification Number

2015/0626/F - SERV

5. Title

Articles 19 and 20 of the Digital Republic Bill (projet de loi pour une République numérique)

6. Products Concerned

Information society services

7. Notification Under Another Act

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8. Main Content

Article 19 provides a definition of online platforms and places a duty of trustworthiness to consumers on stakeholders. This duty relates to their general terms and conditions of use, or their arrangements for referencing, classification and dereferencing online offers.

Article 19 also stipulates that platforms must clearly show whether there is a contractual relationship or capital links with those referenced, whether there is any compensation by those referenced and, where applicable, the impact of this on how content and services are classified.

To ensure that the principles of trustworthiness and transparency are fully effective, Article 20 encourages platforms with a large audience to define best practices and reference indicators and to regularly publish an assessment of their own practices. To ensure that the measure is reserved to the main platforms, the Article also provides for a decree to set the connection threshold beyond which online platforms will be subject to these obligations.

Article 20 further states that the Ministers for the Economy and for Digital Technology may, should they deem it appropriate, publish a list of platforms that do not comply with this obligation and request any useful information. This supplements the option to conduct surveys and allows the ministers to ensure the effectiveness of consultation and platform initiatives.

9. Brief Statement of Grounds

Digital platforms - services for referencing and classifying content provided by third parties (for example, search engines, social networks, marketplaces, etc.) - are active intermediaries whose role is not neutral. Given the power that some of these platforms have acquired, full implementation of existing legislation, particularly as regards trustworthiness to consumers, is a key issue for preserving public economic policy.

10. Reference Documents - Basic Texts



No basic text(s) available

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

Yes

16. TBT and SPS aspects

TBT aspect

No - the draft is neither a technical provision nor a conformity assessment procedure.

SPS aspect

No - the draft is neither a sanitary nor phytosanitary measure.

European Commission

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