

Message 011

Communication from the Commission - TRIS/(2019) 02429
 Directive (EU) 2015/1535
 Notification: 2019/0412/F

Refusal by the Commission of urgency request invoked under (article 6, paragraph 7, of Directive (EU) 2015/1535) and the normal time frame for the procedure opened.

Rechazo de urgencia - Byla zpochybněna aplikace nouzového postupu - Anfaigtelse af henvisningen til hasteproceduren - Ablehnung des Dringlichkeitsverfahrens - Kiireloomulistele põhjustele tuginemise vaidlustamine - Αμφισβήτηση του επείγοντος - The recourse to urgency disputed - Contestation de l'urgence - Contestazione dell'urgenza - Apstrīdēts steidzamības pieprasījums - Ginčytina skubos sąlyga - A sürgősség igénybevétele vitatott - Ikkontestat ir-rikors għall-urgenza - Betwisting van beroep op dringende redenen - Użycie trybu pilnego jest kwestionowane - contestacao da invocacao da urgencia - Regres na naliehavost' sporný - Sklicevanje na nujnost sporno - Kiireellisyiden kiistäminen - Bestridande av brådska - Отказ на искане за извънредна процедура - Recursul la procedura de urgență refuzat.

Abre el plazo de statu quo - Zahájení doby pozastavení prací - Fristen for proceduren indledes - Beginn der Verfahrensfrist - Ooteaja avamine - Εναρξη της προθεσμίας διαδικασίας - Opening of the standstill period - Ouvrir le délai de statu quo - E aperto il termine di procedura - Bezdarbības perioda sākums - Atidėjimo periodo pradžia - A halasztási időszak megnyitása - Ftuħ tal-perijodu ta' waqfien - Begin van de termijn voor de procedure - Otwarcie okresu odroczenia - Abre o prazo de procedimento - Otvorenie pozastavenej periódy - Uvedba obdobja mirovanja - Menettelyn määräaika alkaa - Inleder förfarandets frist - Откриване на периода на прекъсване - Deschiderea perioadei de stagnare - Deschiderea perioadei de stagnare.

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1. MSG 011 IND 2019 0412 F EN 22-11-2019 06-09-2019 COM CONTURG 22-11-2019

2. Commission

3. DG GROW/B/2 - N105 04/63

4. 2019/0412/F - SERV

5. article 6, paragraph 7, of Directive (EU) 2015/1535

6. On 21 August 2019, the authorities of the Member State (France) notified the above-mentioned draft to the Commission, and invoked the urgency laid down in article 6, paragraph 7, of Directive (EU) 2015/1535.

The Commission considers that, in the case in point, the urgency criteria within the meaning of Directive (EU) 2015/1535 have not been met for the following reasons:

On 21 August 2019 the French authorities notified the draft "Law aimed at combating hate content on the internet", pursuant to the procedure established by Directive (EU) 2015/1535, and requested the application of the urgency procedure laid down in Article 6(7) of the Directive.

According to the justification provided in the notification message, the French authorities justify their request for urgent adoption of the notified draft on the following grounds: "The French Government has initiated the emergency procedure in respect of this draft law and wishes to adopt the law swiftly, given the great sensitivity of the subject and its regular coverage in the news recently."

In this respect, the Commission recalls that Article 6(7) of Directive (EU) 2015/1535 provides that a Member State

may invoke the urgency procedure "for urgent reasons, occasioned by serious and unforeseeable circumstances relating to the protection of public health or safety, the protection of animals or the preservation of plants and, for rules on services, also for public policy, notably the protection of minors, a Member State is obliged to prepare technical regulations in a very short space of time in order to enact and introduce them immediately without any consultations being possible; or for urgent reasons occasioned by serious circumstances relating to the protection of the security and the integrity of the financial system, in particular the protection of depositors, investors and insured persons, a Member State is obliged to enact and implement rules on financial services immediately".

After having examined the request for urgent adoption, the Commission notes that the French authorities did not provide evidence showing that the conditions required by Article 6(7) of Directive (EU) 2015/1535, notably the urgent reasons occasioned by serious and unforeseeable circumstances, are fulfilled. Consequently, the three months standstill period, laid down in Article 6(1) of Directive (EU) 2015/1535, is opened. This period expires on 22 November 2019.

Elżbieta Bieńkowska
Member of the Commission
European Commission

Contact point Directive (EU) 2015/1535
Fax: +32 229 98043
email: grow-dir2015-1535-central@ec.europa.eu