

# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2007/0291(COD) Procedure completed
European Network and Information Security Agency (ENISA): duration Amending Regulation (EC) No 460/2004	<a href="#">2003/0032(COD)</a>
Subject 8.40.08 Agencies and bodies of the EU	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>ITRE</b> Industry, Research and Energy		27/02/2008
		PPE-DE <a href="#">NIEBLER Angelika</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>LIBE</b> Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">General Affairs</a>	<a href="#">2888</a>	15/09/2008
	<a href="#">Transport, Telecommunications and Energy</a>	<a href="#">2877</a>	12/06/2008
European Commission	Commission DG	Commissioner	
	<a href="#">Communications Networks, Content and Technology</a>	REDING Viviane	

Key events			
19/12/2007	Legislative proposal published	<a href="#">COM(2007)0861</a>	Summary
15/01/2008	Committee referral announced in Parliament, 1st reading		
05/06/2008	Vote in committee, 1st reading		Summary
09/06/2008	Committee report tabled for plenary, 1st reading	<a href="#">A6-0245/2008</a>	
12/06/2008	Debate in Council	<a href="#">2877</a>	Summary
17/06/2008	Results of vote in Parliament		
17/06/2008	Decision by Parliament, 1st reading	<a href="#">T6-0263/2008</a>	Summary
15/09/2008	Act adopted by Council after Parliament's 1st reading		
24/09/2008	Final act signed		
24/09/2008	End of procedure in Parliament		
31/10/2008	Final act published in Official Journal		

Technical information
-----------------------

Procedure reference	2007/0291(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation (EC) No 460/2004 <a href="#">2003/0032(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed
Committee dossier	ITRE/6/57798

### Documentation gateway

Document attached to the procedure	<a href="#">COM(2007)0285</a>	01/06/2007	EC	
Legislative proposal	<a href="#">COM(2007)0861</a>	20/12/2007	EC	Summary
Economic and Social Committee: opinion, report	<a href="#">CES0272/2008</a>	13/02/2008	ESC	
Committee draft report	<a href="#">PE406.067</a>	14/05/2008	EP	
Amendments tabled in committee	<a href="#">PE407.675</a>	30/05/2008	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0245/2008</a>	09/06/2008	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T6-0263/2008</a>	17/06/2008	EP	Summary
Commission response to text adopted in plenary	SP(2008)4439	16/07/2008	EC	
Draft final act	<a href="#">03643/2008/LEX</a>	24/09/2008	CSL	

### Additional information

National parliaments	<a href="#">IPEX</a>
European Commission	<a href="#">EUR-Lex</a>

### Final act

[Regulation 2008/1007](#)  
[OJ L 293 31.10.2008, p. 0001](#) Summary

## European Network and Information Security Agency (ENISA): duration

**PURPOSE:** to amend Regulation (EC) No 460/2004 establishing the European Network and Information Security Agency with a view to extending its mandate by 2 years.

**PROPOSED ACT:** Regulation of the European Parliament and of the Council.

**BACKGROUND:** in order to enhance the capability of the Community, the Member States and, as a consequence, the business community to prevent, address and respond to network and information security problems, the European Network and Information Security Agency (ENISA) was established in 2004 for a period of five years.

The Agency was set up with the main purpose of ensuring a high and effective level of network and information security within the Community and in order to develop a culture of network and information security for the benefit of the citizens, consumers, enterprises and public sector organisations of the European Union, thus contributing to the smooth functioning of the internal market.

- Article 25 of the Regulation establishing the Agency provides for the Commission to carry out an evaluation of the Agency by March 2007 in order to determine whether the duration of the Agency should be extended beyond 5 years. An independent evaluation was carried out by a panel of external experts, in accordance with terms of reference agreed with the ENISA Management Board,

confirming that the original policy reasons for establishing the Agency and its original goals are still valid. In accordance with Article 25(3) of the Regulation establishing the Agency, the Management Board of the Agency issued recommendations following this evaluation. One of these was that the Regulation should be amended to extend the mandate of the Agency but that the scope of the Agency should not be materially changed.

- In addition, given that on 13 November 2007 the Commission proposed the establishment of a European Electronic Communications Market Authority (see [COD/2007/0249](#)) and that it should take over responsibility for the activities of ENISA from 14 March 2011, it is necessary to extend the mandate of the Agency to cover the two years between the scheduled expiry of the Agency (March 2009) and the date when the European Electronic Communications Market Authority will enter into force.

This proposal responds to this double requirement.

CONTENT: Since the mandate of the Agency will expire on 13 March 2009, in order to ensure continuity it will be necessary to adopt an interim measure for the two years between the scheduled expiry of the Agency and the date when the European Electronic Communications Market Authority will take over responsibility for its activities that fall within the scope of the Regulation establishing the Authority.

This proposal therefore aims to extend the duration of the mandate of the Agency until 13 March 2011, equivalent to an additional 2 years.

## European Network and Information Security Agency (ENISA): duration

---

The Committee on Industry, Research and Energy adopted the report by Angelika NIEBLER (EPP-ED, DE), through the simplified procedure, on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 460/2004 establishing the European Network and Information Security Agency as regards its duration, approving the Commission's proposal with a series of precisions.

The main amendment, adopted at first reading of the codecision procedure, refers to the duration of the Agency's mandate. In fact, MEPs consider that an additional year is needed to allow further reflection on the general direction of the European efforts towards increased network and information security. Therefore, they believe that the duration of the Agency's mandate should be extended to 13 March 2012 (rather than 13 March 2011), that is one year longer than planned in the Commission's proposal (its proposal requested that the Agency's mandate be extended from five to seven years, MEPs believe that a mandate of eight years would be preferable).

This extension would also enable further discussion on the ENISA and, in particular, on the results of the ENISA evaluation process, the Management Board's recommendations and on the ongoing review of the regulatory framework for electronic communications networks and services.

## European Network and Information Security Agency (ENISA): duration

---

The Council reached a general approach on a proposal for a regulation amending Regulation 460/2006 establishing the European Network and Information Security Agency (ENISA) as regards its duration (see Council doc. [10338/08](#)).

Ministers agreed to extend the ENISA's mandate for 3 years.

This time will be used to enable further discussions on ENISA and allow reflection on the general direction of the European efforts towards an increased network and information security.

The Commission was invited to contribute to these discussions.

## European Network and Information Security Agency (ENISA): duration

---

The European Parliament adopted, by 581 votes to 17 and 30 abstentions, a legislative resolution making some amendments to the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 460/2004 establishing the European Network and Information Security Agency as regards its duration. The report had been tabled for consideration in plenary by Angelika NIEBLER (EPP-ED, DE), on behalf of the Committee on Industry, Research and Energy. The amendments were the result of a compromise between Parliament and the Council.

The mandate of the Agency will expire on 13 March 2009. It is necessary to adopt an extension which will enable further discussion on the ENISA. The discussion will reflect the results of the ENISA evaluation process, the Management Board recommendations and the ongoing review of the regulatory framework for electronic communications networks and services. It will also allow further reflection on the general direction of the European efforts towards an increased network and information security.

The Agency shall be established from 14 March 2004 for a period of eight years (until 13 March 2012).

## European Network and Information Security Agency (ENISA): duration

---

PURPOSE: to amend Regulation (EC) No 460/2004 establishing the European Network and Information Security Agency with a view to extending the duration of its mandate.

LEGISLATIVE ACT: Regulation (EC) No 1007/2008 of the European Parliament and of the Council amending Regulation (EC) No 460/2004 establishing the European Network and Information Security Agency as regards its duration.

CONTENT: in order to enhance the capability of the Community, the Member States and, as a consequence, the business community to prevent, address and respond to network and information security problems, the European Network and Information Security Agency (ENISA) was established in 2004 for a period of five years.

The Agency was set up with the main purpose of ensuring a high and effective level of network and information security within the Community and in order to develop a culture of network and information security for the benefit of the citizens, consumers, enterprises and public sector organisations of the European Union, thus contributing to the smooth functioning of the internal market.

Since the mandate of the Agency will expire on 13 March 2009 and in order to ensure consistency and continuity, it is necessary to adopt an extension which will enable further discussion about the Agency, reflecting the results of the Agency evaluation process, the Management Board recommendations and the ongoing review of the regulatory framework for electronic communications networks and services.

This extension will also allow further reflection on the general direction of the European efforts towards an increased network and information security.

The duration of the Agency should therefore be extended until 13 March 2012 instead of 13 March 2009.

ENTRY INTO FORCE: 1 November 2008.