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Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2020/0361(COD) Awaiting committee decision
Digital Services Act Amending Directive 2000/31 1998/0325(COD)	
Subject 2 Internal market, single market 2.40 Free movement of services, freedom to provide 3.30.06 Information and communication technologies, digital technologies 3.45.05 Business policy, e-commerce, after-sales service, commercial distribution 4.60.06 Consumers' economic and legal interests	
Legislative priorities Joint Declaration 2021	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Internal Market and Consumer Protection (Associated committee)		27/01/2021
		 SCHALDEMOSE Christel	
		Shadow rapporteur	
		 KOKALARI Arba	
		 CHARANZOVÁ Dita	
		 GEESE Alexandra	
		 BASSO Alessandra	
		 BIELAN Adam	
		 SCHIRDEWAN Martin	
	Committee for opinion	Rapporteur for opinion	Appointed
	 Economic and Monetary Affairs		10/05/2021
		 PEKSA Mikuláš	
	 Women's Rights and Gender Equality		12/04/2021
		 WIŚNIEWSKA Jadwiga	
	 Industry, Research and Energy (Associated committee)		15/12/2020
		 VIRKKUNEN Henna	

Council of the European Union European Commission European Economic and Social Committee European Committee of the Regions	TRAN Transport and Tourism	08/03/2021	 HAIDER Roman
	CULT Culture and Education	20/01/2021	 VERHEYEN Sabine
	JURI Legal Affairs (Associated committee)	10/05/2021	 DIDIER Geoffroy
	LIBE Civil Liberties, Justice and Home Affairs (Associated committee)	22/04/2021	 BREYER Patrick
	Commission DG Communications Networks, Content and Technology	Commissioner BRETON Thierry	

Key events			
08/02/2021	Committee referral announced in Parliament, 1st reading		
20/05/2021	Referral to associated committees announced in Parliament		

Technical information	
Procedure reference	2020/0361(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Directive 2000/31 1998/0325(COD)
Legal basis	Rules of Procedure EP 57; Treaty on the Functioning of the EU TFEU 114-p1
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Awaiting committee decision
Committee dossier	IMCO/9/04992

Documentation gateway					
Legislative proposal		COM(2020)0825	15/12/2020	EC	Summary
Document attached to the procedure		SEC(2020)0432	16/12/2020	EC	
Document attached to the procedure		SWD(2020)0348	16/12/2020	EC	
Document attached to the procedure		SWD(2020)0349	16/12/2020	EC	

Document attached to the procedure		N9-0020/2021 OJ C 149 27.04.2021, p. 0003	10/02/2021	EDPS	
Committee draft report		PE693.594	28/05/2021	EP	
Committee of the Regions: opinion		CDR5356/2020	30/06/2021	CofR	
Amendments tabled in committee		PE695.150	08/07/2021	EP	
Amendments tabled in committee		PE695.157	08/07/2021	EP	
Amendments tabled in committee		PE695.158	08/07/2021	EP	
Amendments tabled in committee		PE695.159	08/07/2021	EP	
Amendments tabled in committee		PE695.160	08/07/2021	EP	
Amendments tabled in committee		PE695.161	08/07/2021	EP	
Amendments tabled in committee		PE695.162	08/07/2021	EP	
Amendments tabled in committee		PE695.163	08/07/2021	EP	
Amendments tabled in committee		PE695.164	08/07/2021	EP	
Reasoned opinion	IT_CHAMBER	PE696.334	26/07/2021	NP	
Committee opinion	LIBE	PE692.898	03/09/2021	EP	

Additional information

Digital Services Act

PURPOSE: to lay down harmonised rules on the provision of digital services in the internal market (Digital Services Act).

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

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: information society services and especially intermediary services have become an important part of the EU's economy and daily life of Union citizens. Twenty years after the adoption of the existing legal framework applicable to such services laid down in e-Commerce Directive 2000/31/EC, new and innovative business models and services, such as online social networks and marketplaces, have allowed business users and consumers to impart and access information and engage in transactions in novel ways.

A majority of EU citizens now use those services on a daily basis. However, the digital transformation and increased use of those services has also resulted in new risks and challenges, both for individual users and for society as a whole.

The proposed Digital Services Act and [Digital Markets Act](#) encompass a single set of new rules applicable across the whole EU. They will create a safer and more open digital space, with European values at its centre.

CONTENT: the main objective of this proposal is to ensure the proper functioning of the internal market, in particular in relation to the provision of cross-border digital services (more specifically, intermediary services). It aims to ensure harmonised conditions for innovative cross-border services to develop in the EU, by addressing and preventing the emergence of obstacles to such economic activity resulting from differences in the way national laws develop, taking into account that several Member States have legislated or intend to legislate on issues such as the removal of illegal content online, diligence, notice and action procedures and transparency.

The proposed regulation lays down harmonised rules on the provision of intermediary services in the internal market. In particular, it establishes:

- a framework for the conditional exemption from liability of providers of intermediary services;
- rules on specific due diligence obligations tailored to certain specific categories of providers of intermediary services;
- rules on the implementation and enforcement of this Regulation, including as regards the cooperation of and coordination between the competent authorities.

This proposal should apply to intermediary services provided to recipients of the service that have their place of establishment or residence in the Union, irrespective of the place of establishment of the providers of those services.

Specific provisions

The proposal lays down:

- measures to counter illegal goods, services or content online, such as a mechanism for users to flag such content and for platforms to cooperate with trusted flaggers;
- new obligations on traceability of business users in online marketplaces, to help identify sellers of illegal goods;
- effective safeguards for users, including the possibility to challenge platforms content moderation decisions;
- transparency measures for online platforms on a variety of issues, including on the algorithms used for recommendations;
- obligations for very large platforms to prevent the misuse of their systems by taking risk-based action and by independent audits of their risk management systems;
- access for researchers to key data of the largest platforms, in order to understand how online risks evolve;
- oversight structures to address the complexity of the online space: EU countries will have the primary role, supported by a new European Board for Digital Services; for very large platforms, enhanced supervision and enforcement by the Commission.

Budgetary implications

The budgetary impact of the proposal should be covered by the allocations foreseen in the multiannual financial framework 2021-2027 under the financial envelopes of the Single Market Programme and the Digital Europe Programme.