Administrative cooperation through the Internal Market Information System (IMI)

2011/0226(COD) - 25/10/2012 - Final act

PURPOSE: to improve administrative cooperation by means of the Internal Market Information System (IMI).

LEGISLATIVE ACT: Regulation (EU) No 1024/2012 of the European Parliament and of the Council on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC (?the IMI Regulation').

CONTENT: following an agreement at first reading with the European Parliament, the Council adopted a regulation that lays down the rules governing the use of the Internal Market Information System for the implementation of administrative cooperation, including the processing of personal data, between the Member States' competent authorities and between the Member States' competent authorities and the Commission.

The Internal Market Information System (IMI) is a software application accessible via the internet, developed by the Commission in cooperation with the Member States, in order to assist Member States with the practical implementation of information exchange requirements laid down in Union acts by providing a centralised communication mechanism to facilitate cross-border exchange of information and mutual assistance.

The new Regulation establishes a legal framework for the IMI and a set of common rules to ensure that it functions efficiently and to enable its use to be extended to other areas of EU law.

Scope: the Regulation stipulates that IMI shall be used for administrative cooperation between competent authorities of the Member States and between competent authorities of the Member States and the Commission necessary for the implementation of Union acts in the field of the internal market, within the meaning of Article 26(2) of the Treaty on the Functioning of the European Union (TFEU).

The list of these acts is as follows:

- Directive 2006/123/EC of the European Parliament and of the Council on services in the internal market;
- Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications;
- Directive 2011/24/EU of the European Parliament and of the Council on the application of patients' rights in cross-border healthcare;
- Regulation (EU) No 1214/2011 of the European Parliament and of the Council on the professional cross-border transport of euro cash by road between euro-area Member States;
- Commission Recommendation on principles for using ?SOLVIT' - the Internal Market Problem Solving Network.

The Commission may carry out pilot projects in order to assess whether IMI would be an effective tool to implement provisions for administrative cooperation of Union acts not listed in the Annex.

Processing of personal data: IMI actors shall exchange and process personal data only for the purposes defined in the relevant provisions of the Union acts listed in the Annex. Data submitted to IMI by data subjects shall only be used for the purposes for which the data were submitted.

National IMI coordinators: these shall act as the main contact point for IMI actors of the Member States for issues relating to IMI, including providing information on aspects relating to the protection of personal data in accordance with this Regulation.

Where international agreements are concluded between the Union and third countries that also cover the application of provisions of Union acts listed in the Annex to this Regulation, it is possible to include the counterparts of IMI actors in such third countries in the administrative cooperation procedures supported by IMI, provided that it has been established that the third country concerned offers an adequate level of protection of personal data in accordance with Directive 95/46/EC.

ENTRY INTO FORCE: 04/12/2012.