

**Opinion
of the Foreign and European Union Affairs Committee of the Senate of the Republic
of Poland**

**on the proposal for a Regulation of the European Parliament and of the Council setting
out the conditions and procedure by which the Commission may request undertakings
and associations of undertakings to provide information in relation to the internal
market and related areas
COM(2017) 257**

adopted at the meeting on 21 June 2017

1. The Foreign and European Union Affairs Committee (FEUAC) supports, in principle, efforts to monitor and enforce internal market regulations, among others by way of obtaining full and reliable information.
2. However, the FEUAC believes the said proposal contains a number of imprecise formulations which might pave the way for the European Commission (EC) to take discretionary decisions, in particular in the following areas:
 - principles by which the Commission may exercise its powers to request that undertakings and associations of undertakings provide information;
 - scope of information requested by the Commission;
 - conditions for request type (simple request or decision);
 - method of checking the completeness and veracity of information provided by undertakings.
3. The FEUAC is opposed to the proposed measures which do not guarantee sufficient confidentiality of information provided by undertakings, in particular due to:
 - the fact that the proposal grants the Commission the power to reject the confidentiality claim of the information made by the undertaking, yet fails to specify the criteria for taking such a decision;
 - the proposal's failure to specify how such information should be provided by undertakings and under what conditions and for what period the Commission will store the information provided.