
Consumer Protection Cooperation IMI User guide

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1 Introduction

This document explains how to use the Internal Market Information system (IMI) for certain information exchanges under the Consumer Protection Cooperation Regulation (EU) 2017/2394 (hereinafter the “CPC Regulation”)¹. The IMI covers exchanges related to:

- Mutual assistance mechanism (Articles 11 to 14 of the CPC Regulation)
- Alerts and exchange of other information relevant for the detection of infringements (Articles 26 and Article 28 of the CPC Regulation)
- Coordinated actions (Articles 15 to 25 of the CPC Regulation) and
- External alerts (Article 27 of the CPC Regulation)
- Certain notification obligations (via the registration of national IMI actors)

Legislation

The Consumer Protection Cooperation (CPC) Network is a network of authorities responsible for enforcing EU consumer protection laws to protect consumers’ interests in all EU countries plus Iceland, Liechtenstein and Norway.

Besides facilitating the exchange of best practices and expertise, the CPC Network is instrumental in stopping breaches of consumer legislation where the trader(s) and the consumer(s) are established in different countries and the collective interest of consumers is at stake. The CPC Regulation sets out the minimum powers and procedures under which competent authorities in Member States (MS) shall cooperate with one another and with the European Commission to ensure compliance with EU consumer laws listed in Annex of the CPC Regulation. This cooperation is applicable for business to consumers (B2C) relations only.

The CPC Regulation, which is applicable as of 17 January 2020, improves the cooperation framework by putting in place stronger coordinated mechanisms to investigate and address widespread infringements. From this date, the new IT mechanism, implemented via IMI is also to be used for the above administrative exchanges.

The practical and operational arrangements for this coordinated mechanism are specified in two Commission Implementing Decisions:

1. Commission Implementing Decision C(2019)8052 that provides for the practical and operational arrangements of the system based on Article 35 (4) of the CPC Regulation (“CPC Implementing Decision”), and
2. Commission Implementing Decision C(2019)8051 that makes certain communication exchanges under the CPC Regulation subject to a pilot project under Article 4 of Regulation (EU) No 1024/2012 and sets out the basic technical functionality and procedural arrangements required to implement the relevant administrative cooperation provisions (“IMI Implementing Decision”).

¹ Regulation (EU) 2017/2394 of the European Parliament and of the Council of 12 December 2017 on cooperation between national authorities responsible for the enforcement of consumer protection laws and repealing Regulation (EC) No 2006/2004 (Text with EEA relevance), OJ L 345, 27.12.2017, p. 1–26: <https://eur-lex.europa.eu/eli/reg/2017/2394/oj>

IMI

IMI² is a secure, multilingual online information exchange tool. It was developed to facilitate the exchange of information between public administrations across the EU and the European Institutions and Bodies involved in the practical implementation of EU law.

For more information, refer to chapter 8.

2 Using IMI

2.1 Logging in to IMI

IMI is accessed via a standard Internet browser. To log into IMI, copy and paste the following link into your Internet browser, or click below:

<https://webgate.ec.europa.eu/imi-net/>

When logging in for the first time, enter your username and the temporary password provided to you.

For users logging in for the first time, you will immediately be asked to change the temporary password to a new password of your choice. Once this is done, you will be asked to create and confirm a 12-character security code that will be used each time you log into IMI.

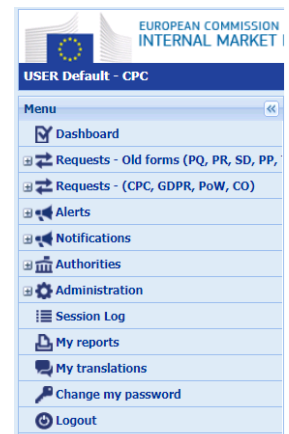
For subsequent logins, you will need to enter your username and password, and then provide three randomly selected digits from your security code as highlighted on screen.

Once logged in you will be redirected to the IMI home screen.

2.2 The IMI Home Screen

When you successfully log into IMI, your IMI dashboard will be presented. A menu on the left side of the screen allows you to:

- Search for existing requests, alerts and notifications
- Initiate new requests and alerts
- Download reports
- Change your password and security code
- Manage / view your Authority's details
- View the details of other authorities registered to use IMI



2.3 Dashboard

The dashboard plays a pivotal role in day-to-day management of your information exchanges.

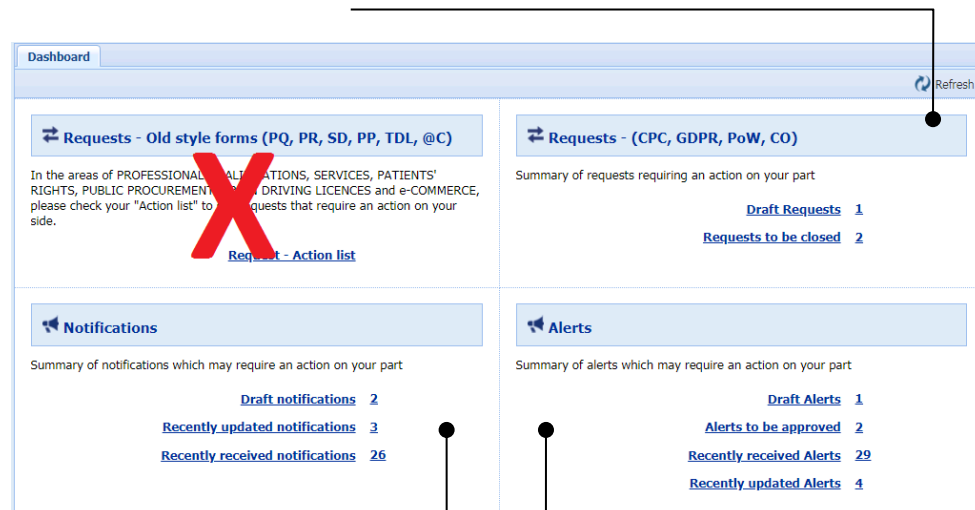
It lists your draft, recently received and recently updated requests, notifications and alerts.

² IMI Website: https://ec.europa.eu/internal_market/imi-net/index_en.htm

It is a great way to keep track of what is required.

You can find here:

- Request for information (Article 11)
- Request for enforcement measures (Article 12)



You can find here:

- Coordinated Actions: Initiation (Articles 16 to 18)
- Coordinated Actions: Investigation and enforcement (Chapter IV)
- Notifications related to refusals of mutual assistance requests (Articles 14(1)&(2))
- Notification of enforcement measures (Article 12(2))

You can find here:

- Alerts for information (Art. 26(1) - (2) and Art. 28)
- Alerts for verification (Article 26(4))
- Alert linked to potential coordinated actions (Articles 17&26(1))
- External alerts addressed to your MS (Article 27 (1)&(2))

Entries are grouped in the dashboard as follows:

- **Draft** means that the entry has not yet been sent to the intended recipients.
- **Recently received** means that the entries arrived within the last 15 days
- **Recently activated notifications** means a recently initiated Coordinated Action entry is now visible to all Member State
- **Recently updated** means that a comment or attachment was added to the entry in the last 15 days
- **Requests to be accepted** means that the request is waiting to be accepted (or forwarded to another authority).
- **Requests to be answered** means that you accepted the request, but you still have to reply to the applicant with the requested information.



2.4 Personal Data

Personal data that are part of the administrative exchanges in IMI, as a general rule, will remain available for no longer than six months after formal closure of

the case. After 6 months from closure, the personal data will then become unavailable/invisible to IMI users, but still accessible for IMI administrators.

Deletion of the data relating to an administrative exchange will occur at the latest five years after its formal closure pursuant to Article 35(3) of the CPC Regulation.

The Access to Personal Data function in IMI provides access to everyone in the Authority/entity who has IMI access, not just the individual who is currently logged in. IMI will automatically log which user confirmed the access to personal data on behalf of the authority/entity. Only those with valid access will be able to view the personal data.

2.5 Reusing data

The reuse data function allows you to create new procedures from existing requests, notifications, alerts and coordinated actions entries which you have access to.

All relevant information already entered will be reused in the new draft procedure, cutting down time to re-enter in information (e.g., you can reuse data from an external alert to a new request for information).

To reuse data:

1. Open any existing procedure
2. Click the **Reuse data** button on the toolbar and select the procedure you want to create from the list

2.6 IMI Email Notifications

IMI sends automatic e-mail messages to the authorities or entities involved in administrative cooperation exchanges of any type with the purpose of informing the users about:

- When an action is required (e.g. a response is required)
- Where there is any update to the on-going procedure (e.g. a new attachment was uploaded)
- When deadlines are approaching or there are unaccepted requests or unattended procedures (reminders).

Emails include clickable link to the specific entry in the IMI system.

Your authority as a recipient of these emails can set up a functional mailbox to be checked periodically (e.g. every week); there is no need to provide a personal email address.

2.7 Mandatory fields

In IMI, all mandatory fields in the forms are marked by asterisks:

- Fields marked by **red asterisks (*)** have to be completed before you can save your draft.
- Some fields are marked by **orange asterisks (*)**. If you do not fill in these fields, you will still be able to save your draft and complete it later, but you will not be able to send it.

The system will warn you if you forgot to include mandatory information, highlighting the related tab in orange and preventing you from sending you answer to the applicant.

To fix this, click on **Edit** on the toolbar, provide the missing information, click **Save** and finally **Send**.

3 Mutual assistance mechanism

3.1 Legal context

The applicant authority shall send the request to the single liaison office (SLO) of the Member State of the requested authority and to the SLO of the MS of the applicant authority for information. The SLO of the MS of the requested authority shall pass the request on to the appropriate competent authority **without delay**. This request must include the information necessary to enable the requested authority to fulfil that request, including any necessary evidence, which can be only obtained in the MS of the applicant authority.

For an overview of the Mutual assistance mechanism, refer to Annex II .

3.1.1 Timeline and notification obligations for mutual requests

Request for information (Article 11)	Request for enforcement measures (Article 12(1)&(2))
without delay, and in any event within 30 days unless otherwise agreed	<p>without delay and not later than 6 months after receiving the request, unless it provides specific reasons for extending that period</p> <p>NB:</p> <p>As the requested authority determines the appropriate enforcement measures to be taken, it shall regularly inform the applicant authority about those steps and measures. The requested authority is also required to notify without delay the applicant authority, the competent authorities of other MS and the Commission of the measures taken and the effect of those measures on the intra-Union infringement.</p> <p>For notifying the Commission, you need to create a separate form in the IMI system ("Notification of steps and measures to bring about the cessation or prohibition of the infringement").</p>

3.1.2 Reasons for refusal to comply with the request

Request for information (Article 11)	Request for enforcement measures (Article 12(1)&(2))
(a) following a consultation with the applicant authority, it appears that the information requested is not needed by the applicant authority;	<p>Following a consultation with the applicant authority:</p> <p>(a) criminal investigations or judicial proceedings have already been initiated, or</p>

<p>(b) the applicant authority does not agree that the information is subject to the rules on confidentiality and on professional and commercial secrecy laid down in Article 33;</p> <p>(c) criminal investigations or judicial proceedings have already been initiated against the same trader in respect of the same intra-Union infringement before the judicial authorities in the Member State of the requested authority or of the applicant authority.</p>	<p>there is a judgment, a court settlement or a judicial order in respect of the same intra-Union infringement and against the same trader before the judicial authorities in the MS of the requested authority;</p> <p>(b) the exercise of the necessary enforcement powers has already been initiated, or an administrative decision has already been adopted in respect of the same intra-Union infringement and against the same trader in the MS of the requested authority in order to bring about the swift and effective cessation or prohibition of the intra-Union infringement;</p> <p>(c) following an appropriate investigation, the requested authority concludes that no intra-Union infringement has occurred;</p> <p>(d) the requested authority concludes that the applicant authority has not provided the information that is necessary in accordance with Article 13(1);</p> <p>(e) the requested authority has accepted commitments proposed by the trader to cease the intra-Union infringement within a set time limit and that time limit has not yet passed, or the trader complied with the commitments.</p>
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If you refuse to comply with a request, you have to inform the applicant authority and the Commission, together with the reasons for that refusal, via specific notification forms. See chapters 3.2.4 and 3.3.4 for more information on these notifications.

The requested authority shall reply directly both to the applicant authority and to the SLOs of the applicant authority and of the requested authority.



- Any necessary evidence can be submitted under the appropriate tab for attachments.
- Requests for mutual assistance and all communications linked to them shall be communicated electronically using standard forms **only** via IMI.
- The Commission has a monitoring role and thus a full access to the requests for mutual assistance and to the information and documents that have been exchanged.

3.2 Request for information

3.2.1 Creating and sending a request for information

1. From the menu on the left side, click on "**Requests – (CPC, GDPR, PoW, CO)**" ▶ "**Create request**" ▶ "**CPC – Request for information - Art. 11(1)**".
2. You start the creation of the request in the **Request Summary** tab:
 - **Number of calendar days in which a reply is required:** you can confirm the default value (30) or change it according to the requirements. The minimum value allowed is 30 and maximum 93 (3 months)
 - **Member State selection:** click on **Search** and, in the new "Authority search panel", enter the **Country** of the recipient Member State. Click **Search** again, select the SLO of that Member State resulting from the search and click on **Select**.
3. Now you can navigate between the following tabs of the request using the **Previous** and **Next** buttons in the top right hand corner of the page:

- **Legal Basis**
- **Trader details**
- **Information on the infringement**

The content of these tabs constitutes the core data of the entry. This information is carried over across all forms when you start a new procedure from an existing one (e.g. an alert starting from a request for information).

For the details of the information that you have to provide in these tabs, refer to the *Annex I – Core information about the infringement*.

4. Fill in the core data tabs and click **Next** on the toolbar until you get to the **Request** tab.
5. Provide the mandatory information of the request tab:
 - **Does the applicant authority agree to the involvement of designated bodies in processing this request, if the requested authority complies with the request?:** express your position on the matter; the requested authority is expected to comply with it when providing the answers.
 - **Position of the applicant authority with regards to a potential alert concerning this infringement:** express your position on the matter, providing the mandatory justification in case you deem the alert not necessary.
 - **Request Categories:** select one or more of them according to questions you will ask. Each selected category will appear as a new tab.

Click **Next** to proceed to the next tab.

6. You are now in the tab correspondent to the first Request category selected (e.g. Questions [A], Questions [B], Questions [C]):

Select the questions you want to ask by checking the correspondent box on the list.

You can also provide non-mandatory **Request details** for the selected question.

- After going through all the request categories tab, click **Create** in the top right hand corner of the page to create the request.



The request has not been sent yet! The status of the request is **Draft**.

When the request is in draft status, it is possible to:

- **Edit** any information
- Remove this draft request from the system by clicking **Delete draft** on the toolbar. No trace of it is kept in the system.
- Check the **Management Information** tab to keep track of the main data about the entry, such as links to other procedures.
- Add comments and attachments in the relevant tab.

- To send the request, click **Send** on the toolbar and **Yes** to confirm. Your request has been sent.

The status of the request is now "Awaiting acceptance". This means that it is now up to the SLO of the recipient Member State to reply to it.



The system will warn you if you forgot to include mandatory information, highlighting the related tab in orange.

To complete the request and be able to send it, click on **Edit** on the toolbar, provide the missing information, click **Save** and finally **Send**.

3.2.2 Replying to a request for information

As the recipient of a request for information, you will have to provide the requested information or refuse to comply with the request altogether.

- Search the requests you received. To do this, you can either:
 - Go to the dashboard and click on **Requests to be accepted**, or
 - Click on the link to the entry included in the notification email that you receive in your functional mailbox each time a request is sent to you.
- When opening the request, you will find yourself in the **Request Summary** tab. You are free to click through the tabs of the request to see the information provided by the applicant authority about the infringement.



If you are the recipient **SLO**, you may want to forward the request to a relevant Competent Authority in your own Member State.

To do this, click **Forward** on the toolbar:

- Click on **Search** in the new "Authority search panel".
- Click on one of the CPC Authorities listed and then on the **Select** button.
- Enter the mandatory **Justification** for the forwarding
- Click **Confirm**

3. If you are the Authority in charge of processing this entry, click **Accept** in the toolbar.



Accepting the request does not mean that you will comply with it: it just means that you will look into the matter.

4. Now your view is restricted to the **Request Summary** tab, where you have to check, confirm or eventually change the default **Number of calendar days in which you agree to reply**. The minimum value allowed is 30 and maximum 93 (3 months)

Click again **Accept** on the toolbar.



After accepting, all the personal data previously hidden by asterisks will be disclosed to you.

5. Now you have to provide your reply to the request. To do this, click **Edit reply** on the toolbar.
6. You are now in the **Request** tab.

First and most importantly, you have to provide your position about the **Compliance with the request**:

- **If you are ready to comply with the request**, you will also have to declare if you intend to **involve designated bodies in the investigation relevant for this request** and provide the related details if that is the case.
This declaration will have to take into account the position of the Applicant Authority on the matter.
- **If you refuse to comply with the request**, you have to provide a justification for your refusal by selecting one or more of the justifications listed, according to the CPC Regulation.



When refusing to comply with a request for information, you are not obliged to answer any other question in the request. However, you will have to notify the Commission and the applicant about the refusal.

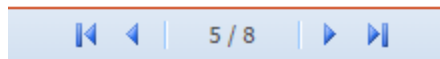
For information about the sending of a Notification of refusal to comply with a request for information, refer to chapter 3.2.4.

7. Still in the **Request** tab, declare if you **agree with the position of the applicant concerning issuing the alert**. If you do not agree with it, you will have to provide details about your position on the matter.

When done, click on the **Questions** tab ([A], [B] and [C])

8. On these tabs, you will see the questions posed by the applicant authority.

In case you have to answer more than one question, you can navigate between them clicking the arrows.



The type of information required changes from question to question.

Provide your answers, then click on **Save** on the toolbar.

9. Click **Send Reply**. The applicant authority will now be able to see your answers.


3.2.3 Splitting a request for information

In some cases, you may find that your authority is only partially competent to reply to the incoming request for information. For example, you will be able to answer one question included in the request, but you are not competent to deal with the content of other questions. In this case, you can split the request by forwarding one or more questions to another competent authority.

Once you split the request, you will no longer have any responsibility for the forwarded questions and will only have to reply to the remaining ones. You will still have access to all the attachments included in the original request. The questions and attachments you forward will become a new separate request.

The applicant authority will be informed by email that its request has been split and a new (second) requested authority is now expected to deal with some of the questions in its request.

To split a request for information:

1. Click the **Split**  button on the toolbar.
2. Select the questions that you want to split for each of the question categories.
3. Click again **Split**.
4. The Request Splitting panel appears. Click on **Search**.
5. In the new "Authority search panel", **Search** again, select one of the authorities resulting from the search and click on **Select**.
6. Enter the **Justification** and click **Confirm**.

3.2.4 Notify the refusal to comply with a request for information

If you refuse to comply with a request for information, you have to inform the applicant authority and the Commission, together with the reasons for that refusal.

To do this:

1. Open the request for information you are refusing to comply with.
 - From the menu on the left side, click on " **Requests – (CPC, GDPR, PoW, CO)**" ► "**Search by form**" ► "**CPC - Request for information - Art. 11(1)**".
 - Specify your search criteria, such as the applicant country, and click on **Search** on the toolbar.

- A list of the requests that match the specified criteria will be presented. Double click on the relevant request to open it.
- 2. Click on **Reuse Data** in the top right hand corner of the page, then select “**CPC - Notification of refusal to comply with a request for information - Art. 14(1)**”.
- 3. You are now in the **Notification Summary** tab of the draft notification.
Select the **Member State of the applicant authority, which sent the refused request** from the drop down menu (note that this notification will be also sent to the Commission automatically).
- 4. Go through the information already included in the different tabs of the notification using the **Next** button on the toolbar, then finally click on **Save**.
- 5. Click on **Submit**.



If you are a **SLO**, after this step you will be able to review the content of the notification before it reaches its intended recipients.

To finally submit the notification, you have to click on the **Approve & Broadcast** button on the toolbar.

The status of the notification will be **Open for comments** for 1 year.

3.2.5 Follow-up on the refusal

While the notification is **Open for comments**, both sender (requested authority) and recipients (applicant authority) will be able to

- **provide comments** and **attach documents** to the notification. Each new comment and attachment added will trigger an automatic email notification to all parties involved.
- transmit the notification to other authorities in their Member State by clicking the **Disseminate** button on the toolbar;
- check the **Recipients** list in the Notification summary tab to see which authorities received the notification;
- Refer the matter to the Commission using the comment by adding a comment in the **Referral of the matter to the Commission** comment box in the Notification summary tab.



In the event of a disagreement between the applicant and requested authority, either of the authorities can refer the matter to the Commission which shall issue an opinion on the matter without delay. The Commission may even issue an opinion on its own initiative.

3.3 Request for enforcement measures

3.3.1 Creating and sending a request for enforcement measures

1. From the menu on the left side, click on " **Requests – (CPC, GDPR, PoW, CO)**" ▶ "Create request" ▶ "CPC – Request for enforcement measures - Art. 12(1)".
2. You start the creation of the request in the **Request Summary** tab:
 - **Number of calendar days in which a reply is required:** you can confirm the default value (180) or change it according to the requirements. The minimum value allowed is 30 and maximum 540 (18 months)
 - **Member State selection:** click on **Search** and, in the new "Authority search panel", enter the **Country** of the recipient Member State. Click **Search** again, select the SLO of that Member State resulting from the search and click on **Select**.
3. Now you can navigate between the following tabs of the request using the **Previous** and **Next** buttons in the top right hand corner of the page:
 - **Legal Basis**
 - **Trader details**
 - **Information on the infringement**

The content of these tabs constitutes the core data of the entry. This information are carried over across all forms when you start a new procedure from an existing one (e.g. an alert starting from a request for information).

For the details of the information that you have to provide in these tabs, refer to the *Annex I – Core information about the infringement*.
4. Fill in the core data tabs and click **Next** on the toolbar until you get to the **Request** tab.
5. Provide the mandatory information of the request tab:
 - **Does the applicant authority agree to the involvement of designated bodies in processing this request, if the requested authority complies with the request?:** express your position on the matter; the requested authority is expected to comply with it when providing the answers.
 - **Position of the applicant authority with regards to a potential alert concerning this infringement:** express your position on the matter, providing the mandatory justification in case you deem the alert not necessary.

Click **Create** in the top right hand corner of the page to create the request.



The request has not been sent yet! The status of the request is **Draft**.

When the request is in draft status, it is possible to:

- **Edit** any information
- Remove this draft request from the system by clicking **Delete draft** on the toolbar. No trace of it is kept in the system.

- Check the **Management Information** tab to keep track of the main data about the entry, such as links to other procedures.
- Add comments and attachments in the relevant tab.

6. To send the request, click **Send** on the toolbar and **Yes** to confirm. Your request has been sent.

The status of the request is now "Awaiting acceptance". This means that it is now up to the SLO of the recipient Member State to reply to it.



The system will warn you if you forgot to include mandatory information, highlighting the related tab in orange.

To complete the request and be able to send it, click on **Edit** on the toolbar, provide the missing information, click **Save** and finally **Send**.

3.3.2 Replying to a request for enforcement measures

As the recipient of a request for enforcement measures, you will have to provide the requested information or refuse to comply with the request altogether.

1. Search the requests you received. To do this, you can either:
 - Go to the dashboard and click on **Requests to be accepted**, or
 - Click on the link to the entry included in the notification email that you receive in your functional mailbox each time a request is sent to you.
2. When opening the request, you will find yourself in the **Request Summary** tab. You are free to click through the tabs of the request to see the information provided by the applicant authority about the infringement.

If you are the recipient **SLO**, you may want to forward the request to a relevant competent authority in your own Member State.



To do this, click **Forward** on the toolbar:

- Click on **Search** in the new "Authority search panel".
- Click on one of the CPC Authorities listed and then on the **Select** button.
- Enter the mandatory **Justification** for the forwarding
- Click **Confirm**

3. If you are the Authority in charge of processing this entry, click **Accept** in the toolbar.



Accepting the request does not mean that you will comply with it: it just means that you will look into the matter.

4. Now your view is restricted to the **Request Summary** tab, where you have to check, confirm or eventually change the default **Number of calendar days in which you agree to reply**. The minimum value allowed is 180 and maximum 540 (18 months)

Click again **Accept** on the toolbar.



After accepting, all the personal data previously hidden by asterisks will be disclosed to you.

5. Now you have to provide your reply to the request. To do this, click **Edit reply** on the toolbar.
6. You are now in the **Request** tab.

First and most importantly, you have to provide your position about the **Compliance with the request**:

- **If you are ready to comply with the request**, you will have to notify the applicant authority about the steps and measures taken and the steps and measures that you intend to take.
For information about the sending of a Notification of steps and measures, refer to chapter 3.3.3.
- **If you refuse to comply with the request**, you have to provide a justification for your refusal by selecting one or more of the justifications listed, according to the CPC Regulation.



When refusing to comply with a request for enforcement measures, you will have to notify the Commission and the applicant authority about the refusal.

For information about the sending of a Notification of refusal to comply with a request for enforcement measures, refer to chapter 3.3.4.

7. Provide your answers to the other questions in the **Request** tab:
 - **Does the requested authority agree with the above position concerning issuing the alert?:** If you do not agree with it, you will have to provide details about your position on the matter.
 - **Have the consumers affected been offered remedial commitments?:** if not, you will have to provide additional details
8. Provide the list of **Enforcement measures/steps**.

Click **Add** to enter a measure. For each measure, you can enter a wide range of details. In particular, pay attention to the following mandatory fields:

- **Type of measure**, selected from the drop down menu
- **Brief description of the measure**, to be typed in the free text box
- **Implementation date of the measure**, to be selected from the calendar
- **Nature of the measure**, to be specified if **other** is selected
- **Additional details** in case **the measure has not already been adopted**

You can click **Add** again to enter another measure.

9. When done, click on **Save** on the top right toolbar.
10. Click **Send Reply**. The applicant authority will now be able to see your answers.

3.3.3 Notifying enforcement measures

If you comply with the request for enforcement measures, you have to regularly inform the applicant authority about the steps and measures taken and the steps and measures you intend to take. You also need to notify without delay the competent authorities of other MS and the Commission of the measures taken and the effect of those measures.

To do this:

1. Open the request for enforcement measures you are complying with.
 - From the menu on the left side, click on " **Requests – (CPC, GDPR, PoW, CO)**" ▶ "**Search by form**" ▶ "**CPC - Request for enforcement measures - Art. 12(1)**".
 - Specify your search criteria, such as the applicant country, and click on **Search** on the toolbar.
 - A list of the requests that match the specified criteria will be presented. Double click on the relevant request to open it.
2. Click on **Reuse Data** in the top right hand corner of the page, then select "**CPC - Notification of steps and measures - Art. 12(2)**".
3. You are now in the **Notification Summary** tab of the draft notification.
Answer to the following question: **Has the infringement ceased?**
4. Go through the information already included in the different tabs of the notification using the **Next** button on the toolbar, then finally click on **Save**.
5. Click on **Submit**.



If you are a **SLO**, after this step you will be able to review the content of the notification before it reaches its intended recipients.

To finally submit the notification, you have to click on the **Approve & Broadcast** button on the toolbar.

The status of the notification will be **Open for comments** for 1 year..

3.3.4 Notifying the refusal to comply with a request for enforcement measures

If you refuse to comply with a request for enforcement measures, you have to inform the applicant authority and the Commission, together with the reasons for that refusal.

To do this:

1. Open the request for enforcement measures you are complying with.
 - From the menu on the left side, click on " **Requests – (CPC, GDPR, PoW, CO)**" ▶ "**Search by form**" ▶ "**CPC - Request for enforcement measures - Art. 12(1)**".
 - Specify your search criteria, such as the applicant country, and click on **Search** on the toolbar.
 - A list of the requests that match the specified criteria will be presented. Double click on the relevant request to open it.

2. Click on **Reuse Data** in the top right hand corner of the page, then select “**CPC - Notification of refusal to comply with a request for enforcement measures - Art. 14(2)**”.
3. You are now in the **Notification Summary** tab of the draft notification.
Select the **Member State of the authority, which sent the refused request** from the drop down menu (note that this notification will be also sent to the European Commission automatically).
4. Go through the information already included in the different tabs of the notification using the **Next** button on the toolbar, then finally click on **Save**.
5. Click on **Submit**.



If you are a **SLO**, after this step you will be able to review the content of the notification before it reaches its intended recipients.

To finally submit the notification, you have to click on the **Approve & Broadcast** button on the toolbar.

The status of the notification will be **Open for comments** for 1 year.

3.3.5 Follow-up on the refusal

While the notification is **Open for comments**, both sender (requested authority) and recipients (applicant authority) will be able to

- **provide comments** and **attach documents** to the notification. Each new comment and attachment added will trigger an automatic email notification to all parties involved.
- transmit the notification to other authorities in their Member State by clicking the **Disseminate** button on the toolbar;
- check the **Recipients** list in the Notification summary tab to see which authorities received the notification;
- Refer the matter to the Commission using the comment by adding a comment in the **Referral of the matter to the Commission** comment box in the Notification summary tab.



In the event of a disagreement between the applicant and requested authority, either of the authorities can refer the matter to the Commission which shall issue an opinion on the matter without delay. The Commission may even issue an opinion on its own initiative.

4 External alerts

4.1 Legal context

External alerts can be sent only by entities empowered by Member States, or by the Commission to issue external alerts.

Under Article 27 (1) of the CPC Regulation, Member States shall confer, unless justified otherwise, on **designated bodies, European Consumer Centres, consumer organisation and associations (and where applicable trader associations)** with the necessary expertise the power to issue an external alert to Member States and the Commission. Commission, following the procedure under Article 27 (2) of the CPC Regulation, shall confer this power on associations representing consumer and, where appropriate, trader interests at a Union level.



The external alert will be automatically closed after a **6-month** period.

Member States are obliged to notify the Commission of the list of those entities and of any changes to it without delay: however, note that the registration of these entities in the IMI will be itself considered as such notification. This will reduce the administrative burden of the MS. Please, keep the registrations updated.

In order to efficiently manage the influx of incoming communication on external alerts, the CPC Implementing Decision introduces a basic functionality of a technical coordinator. This technical role is a practical arrangement implemented in the IMI system to facilitate the handling of external alerts, alerts under Article 26 and other information sent under Article 28 of the CPC Regulation. This coordinator is responsible for the dissemination of external alerts to the competent authorities concerned and does not have access to the full content of the communication.

The CPC competent authorities are not in any case bound to initiate a procedure or take any action on the basis of and external alert they receive. Nevertheless, we recommend you to check the received notifications of external alerts to ensure early detection of suspected infringements covered by the CPC Regulation and effective enforcement where necessary.

4.2 Creating and sending an external alert

The creation and sending of external alert is restricted to the entities empowered to do so by Member States and by the Commission (EU-level entities).

For details about this procedure, refer to the *"Consumer Protection Cooperation - User Guide for entities sending external alerts"* document available on the IMI website library.

4.3 Following up an external alert received



As a CPC authority, you are not in any case bound to take any action on the basis of and external alert you receive.

1. Search the external alert you received. To do this, you can either:
 - Go to the dashboard and click on **Recently received alerts**, then look for the external alerts in the result grid, or
 - Click on the link to the entry included in the notification email that you receive in your functional mailbox each time an external alert is sent to you.

Double-click on an external alert in the result grid to open it.

2. As the recipient of an external alert, you can freely check its content browsing the tabs.



If you are the recipient **SLO**, you may want to add as recipients of the alert one or more competent authorities in your own Member State before dealing with it in any other way.

To do this, click **Add recipient** on the toolbar:

- Click on **Search** in the new “Authority search panel”.
- Click on one or more of the CPC Authorities listed and then on the **Select** button.

3. To follow up on the external alert, you can:

- Provide updates about the trader and the infringement using the relevant comment boxes in the **Trader details** and **Information on the infringement** tabs
- Add comments clicking on the **Attachments and comments** tab. For example, you may want to propose the withdrawal of the alert if you realize that it has been sent by mistake.

To do this, click on **Add comment** in the Comments panel, then fill the appearing panel with the following information:

- **Type:** select the type of comment from the drop down list.
- **Comment:** free text field supported by machine translation.
- Attach a document: first consider if it contains **Personal Data** or not. Then, click **Upload File** on the corresponding section.



The external entity sending the alert will be notified each time you add a comment or an attachment.

Multiple documents can be added as required.

- Reuse the content of the external alert to create another alert or a request: click the **Reuse data** button on the toolbar and select the procedure you want to create from the list

5 Alerts

5.1 Legal context

You can send different types of alerts:

- Alert sent for information - Art. 26(1) - (2) and Art. 28³
- Alert requiring verification - Art. 26(4)
- Alert linked to potential coordinated actions - Art. 26(1) and Art. 17

You will have to provide different information according to the type of alert.

Under Articles 26 and 28 of the CPC Regulation, a competent authority shall without delay notify the Commission, other competent authorities and SLOs⁴ of any reasonable suspicion that an infringement covered by this Regulation that may affect consumers' interests in other MS is taking place on its territory and of any measures taken to address such an infringement.

In order to ensure that alerts are only made available to the competent authorities that are concerned or possibly concerned by the infringement, the CPC Implementing Decision introduces a basic functionality of a technical coordinator. This technical role is a practical arrangement implemented in the IMI system to facilitate handling not only alerts but also other information sent under Articles 27 and 28 of the CPC Regulation.

This basic functionality has been implemented to ensure that alerts are only handled on a strictly need to know basis to safeguard confidentiality of the investigations and to manage the influx of incoming communication.

A similar coordinating task exists for the SLO for mutual assistance cases under the CPC Regulation, and the SLO has a general coordinating role in the investigation and enforcement activities⁵. In case you wish to assign this technical role to a competent authority, rather than to your national SLO, please inform the IMI helpdesk which will process your request and register the authority with this technical coordination role. This technical coordinator is responsible for the dissemination of alerts and does not have access to the full content of alerts.



The alert will be automatically closed after a **6-month** period.

5.2 Creating and sending an alert for information

1. From the menu on the left side, click on "Alerts" ▶ "Create Alert" ▶ "CPC - Alert sent for information - Art. 26(1) - (2) and Art. 28"
2. You start the creation of the alert in the **Alert Summary** tab.

³ For the purposes of using IMI for certain information exchanges under the CPC Regulation, exchanges of other information relevant for the detection of infringements under Article 28 are to be technically considered as Alerts for information.

⁴ Specifically referred to only under Article 26 of the CPC Regulation in relation to alerts.

⁵ Article 5(3) of the CPC Regulation

Select the **Recipient Member States** from the drop down list. The SLOs of these countries will receive your alert.

- Now you can navigate between the following tabs of the alert using the **Previous** and **Next** buttons in the top right hand corner of the page:

- **Legal Basis**
- **Trader details**
- **Information on the infringement**

For the details of the information that you have to provide in these tabs, refer to the *Annex I – Core information about the infringement*.

- Fill in the core data tabs and click **Next** on the toolbar until you get to the **Information on the legal measures** tab.
- Fill the mandatory fields in the **Information on the legal measures** tab.

In particular, pay attention to the functioning of the **Measures** field: this is a one-to-many field, which means that you can add multiple measures, one after the other, by clicking on **Add**.

For each measure, you can provide a wide range of details; in particular, pay attention to the following fields:

- **Type of measure**, selected from the drop down menu
 - **Brief description of the measure** in a free text field
 - **Implementation date of the measure**, to be selected from the calendar
 - **Nature of the measure**, to be specified if **other** is selected
 - **Additional details** in case **the measure has not already been adopted**
 - Information about the **type of authority involved** in taking the measure, if any.
- When done, click **Create** in the top right hand corner of the page to create the draft alert.



The alert has not been sent yet! The status of the alert is **Draft**.

When the alert is in draft status, it is possible to:

- **Edit** any information
- Remove this draft alert from the system by clicking **Delete draft alert** on the toolbar. No trace of it is kept in the system.
- Check the **Management Information** tab to keep track of the main data about the entry, such as links to other procedures.
- Add comments and attachments in the relevant tab.

- To send the alert, click **Submit alert** on the toolbar.



The system will warn you if you forgot to include mandatory information, highlighting the related tab.

To complete the alert and be able to send it, click on **Edit** on the toolbar, provide the missing information, click **Save** and finally **Submit alert**.

If you are a **SLO**, after this step you will be able to review the content of the notification before it reaches its intended recipients.

To finally submit the notification, you have to click on the **Approve & Broadcast** button on the toolbar.

5.3 Creating and sending an alert requiring verification

Article 26 (4) of the CPC Regulation enables MS to send an alert and ask competent authorities and the relevant SLOs and the Commission to verify whether, based on information that is available or easily accessible to the relevant competent authorities or to the Commission:

- similar suspected infringements are taking place in other Member States, or whether
- any enforcement measures have already been taken against such infringements in those MS.

Those competent authorities of other Member States and the Commission shall reply to the request without delay.



This form should be used in cases of suspicion of intra-Union infringements, or in cases of widespread infringements that are not considered to be followed up by a coordinated action at a later stage.

Nevertheless, even if you use this form to alert a suspicion of a widespread infringement, it does not prevent you to copy the information from this form to initiate a coordinated action, if the circumstances of the case change in the future.

1. From the menu on the left side, click on "**Alerts**" ▶ "**Create Alert**" ▶ "**CPC - Alert requiring verification - Art. 26(4)**"
2. You start the creation of the alert in the **Alert Summary** tab. Provide the following information:
 - **Recipient Member States:** select from the drop down list. The SLOs of these countries will receive your alert.
 - **Reason for the request for verification:** fill the comment box explaining why you are requesting the recipient to verify and confirm if similar infringements are taking place in their territory or enforcement measures have already been taken against such infringements.
3. Now you can navigate between the following tabs of the alert using the **Previous** and **Next** buttons in the top right hand corner of the page.

Fill the rest of the alert and send it following the instructions of chapter 5.2 from point 3 onwards.

5.4 Creating and sending an alert linked to potential coordinated actions

Under Article 16 of the CPC Regulation, where there is a reasonable suspicion that a widespread infringement or widespread infringement with a Union dimension is taking place, competent authorities concerned by that infringement and the Commission shall inform each other and the SLOs concerned by that infringement without delay, by issuing alerts pursuant to Article 26.



This form is mirroring the form for Alerts requiring verification and should be used in cases of reasonable suspicion of widespread infringements and widespread infringements with Union dimension where there is a potential follow-up by a coordinated action.

As an additional point, you are required to justify your reasons why you think this alert should be followed by a coordinated action.

1. From the menu on the left side, click on **"Alerts" ▶ "Create Alert" ▶ "CPC - Alert linked to potential coordinated actions - Art. 26(1) and Art. 17"**
2. You start the creation of the alert in the **Alert Summary** tab. Provide the following information:
 - **Recipient Member States:** select from the drop down list. The SLOs of these countries will receive your alert.
 - **Is the sender of the alert the Commission?:** select **No**
 - **Reason for the request for verification:** fill the comment box explaining why you are requesting the recipient to verify and confirm if similar infringements are taking place in their territory or enforcement measures have already been taken against such infringements.
 - **Justification why the alert shall be followed by a coordinated action:** fill the comment box explaining the reason.
3. Now you can navigate between the following tabs of the alert using the **Previous** and **Next** buttons in the top right hand corner of the page.

Fill the rest of the alert and send it following the instructions of chapter 5.2 from point 3 onwards.

5.5 Following up a received alert

1. Search the alerts you received. To do this, you can either:
 - Go to the dashboard and click on **Recently received alerts**, then look at the alerts in the result grid, or
 - Click on the link to the entry included in the notification email that you receive in your functional mailbox each time an alert is sent to you.

Double-click on an alert in the result grid to open it.
2. As the recipient of an alert, you can freely check its content browsing the tabs.



If you are the recipient **SLO**, you may want to add as recipients of the alert one or more competent authorities in your own Member State before dealing with it in any other way.

To do this, click **Add recipient** on the toolbar:

- Click on **Search** in the new “Authority search panel”.
- Click on one or more of the CPC Authorities listed and then on the **Select** button.

3. In case of an alert for verification and alert linked to potential coordinated actions, you will have to provide your **Comments concerning the request for verification** in the **Alert summary** tab in a timely manner.

Click on **Add comment** in the corresponding box and fill the required **Type** and **Comment** field.

4. To follow up on the alert, you can also:
 - Provide updates about the trader and the infringement using the relevant comment boxes in the **Trader details** and **Information on the infringement** tabs
 - Add comments clicking on the **Attachments and comments** tab. For example, you may want to propose the withdrawal of the alert if you realize that it has been sent by mistake.
To do this, click on **Add comment** in the Comments panel, then fill the appearing panel with the following information:
 - **Type**: select the type of comment from the drop down list.
 - **Comment**: free text field supported by machine translation.
 - Attach a document: first consider if it contains **Personal Data** or not. Then, click **Upload File** on the corresponding section.



The authority sending the alert will be notified each time you add a comment or an attachment.

Multiple documents can be added as required.

- Reuse the content of the alert to create another alert, a request or the initiation of a coordinated action: click the **Reuse data** button on the toolbar and select the procedure you want to create from the list

5.6 Closing an alert

After 6 months, the alert closes and it will not be possible to comment on it or add attachments.

The sender of the alert can manually close the alert beforehand clicking **Close alert** on the toolbar.

6 Coordinated Actions

6.1 Legal context

Where there is a reasonable suspicion of a widespread infringement or widespread infringement with a Union dimension, competent authorities shall launch a coordinated action which shall be based on an agreement between them. Pursuant to Article 15 of the CPC Regulation, the agreement should be reached by consensus.

In order to make coordinated actions clear and structured, the CPC Network opted to divide the procedural steps into two stages and thus two separate forms in the IMI system:

- **Initiation** phase whereby MS discuss and decide on the action and its coordinator, and
- **Investigation and enforcement** phase that covers the actual coordinated action with its plan decided upon by the participating MS, etc.

This division is a practical implementation of Chapter IV of the CPC Regulation.

For an overview of the Coordinated Action mechanism, refer to Annex II.

6.2 Coordinated Actions: Initiation

6.2.1 Coordination under the Initiation form

Any concerned MS can create the Initiation form from any type of an alert related to the particular infringement (except for external alerts).

In the Initiation phase, you are expected to decide on:

- **Coordinator**
 - Widespread infringements:
The competent authorities concerned by the suspected widespread infringement shall designate one competent authority concerned by the suspected widespread infringement to be the coordinator. If those competent authorities are unable to reach agreement on that designation, the Commission shall take the role of coordinator.
 - Widespread infringements with a Union dimension:
This type of coordinated actions shall be coordinated by the Commission.
- **Participation of your Member State in the coordinated action**
You can state here your:
 - intention to participate in the coordinated action (the intention to participate should be provided on the level of Member States), or
 - any potential concern you may have with the coordinated action, or
 - any concerns or comments on the designation of the coordinator.



A competent authority can join the coordinated action also at a later stage by a simple opt-in procedure, if it becomes apparent during that coordinated action that the competent authority is concerned by the widespread infringement or the widespread infringement with a Union dimension. This is supported by a so-called repository of ongoing coordinated actions.

Please note that Article 18 of the CPC Regulation clearly stipulates reasons for declining to take part in the coordinated action:

- a) Criminal investigations or judicial proceedings against the same trader for the same infringement ongoing/completed (Article 18 (1) a))
- b) Enforcement against the same trader for the same infringement ongoing/completed (Article 18(1)b))
- c) Negligible impact of the widespread infringement (Article 18(1) c))
- d) No widespread infringement detected (Article 18(1) d))
- e) Commitments implemented by the trader (Article 18(1)e))



When a competent authority declines to take part in the coordinated action, it shall inform the Commission and the other competent authorities and SLOs concerned by the widespread infringement or widespread infringement with a Union dimension about its decision without delay, stating the reasons for its decision and providing any necessary supporting documents.

This is done in the IMI system automatically when you fill in the comment of opting out in the Initiation form.

However, a lack of available resources on the part of the competent authority concerned by that infringement should not be a justification of not taking part in a coordinated action.

- **You can also invite Commission's officials to participate** in the coordinated investigations, enforcement actions and other measures covered by Chapter IV of the CPC Regulation.



The preliminary phase for Initiation of a Coordinated Action is subject to a technical deadline of 1 month to agree or disagree with the proposed scenario for the coordinator.

6.2.2 Creating and sending a Coordinated Actions: Initiation

1. Open the alert on which you base the coordinated action.
 - From the menu on the left side, click on **"Alerts" ► "Search by form"** and select the type of alert you are looking for.
 - Specify your search criteria, such as the country initiating the alert, and click on **Search** on the toolbar.
 - A list of the alerts that match the specified criteria will be presented. Double click on the relevant alert to open it.
2. Click on **Reuse Data** in the top right hand corner of the page, then select **"CPC - Coordinated Actions: Initiation - Art. 16 to 18"**.
3. You are now in the **Summary** tab of the draft "Coordinated Actions: Initiation" procedure.
The **Recipient Member States** and the **Type of infringement** are already filled with the information from the alert.



The **Recipient Member States** and the **Type of infringement** can be modified at this stage.

However, if the Type of infringement is intra-union or unknown, you will be prevented from proceeding with the filling of the form, as per Chapter IV of the CPC Regulation.

4. Provide your **Opinion on who should coordinate the Coordinated Action** and the mandatory justification.

No opinion is required in case of Widespread infringement with a Union dimension because the actions will be coordinated by the Commission.

5. Provide the **Coordinator Contact details**, if already available.



Remember to provide this information as soon as it becomes available, as it will be mandatory in the following steps of the Coordinated Action procedure.

Only you, as the initiator of the form, can update this field. If a different Member State is designated as Coordinator, they will have to provide you with the Contact Details to enter here.

4. Now you can navigate between the following tabs of the coordinated action using the **Previous** and **Next** buttons in the top right hand corner of the page.

All available information has been carried over from the alert used as basis for this form, including the Comments.

5. Click **Save** in the top right hand corner of the page to create the entry.



The form has not been sent yet! The status of the entry is **Draft**.

When the entry is in draft status, it is possible to:

- **Edit** any information
- Remove this draft from the system by clicking **Delete** on the toolbar. No trace of it is kept in the system.
- Check the **Management Information** tab to keep track of the main data about the entry, such as links to other procedures.
- Add comments and attachments in the relevant tab.

8. To send the “Coordinated Actions: Initiation” form, click **Submit** on the toolbar.



The system will warn you if you forgot to include mandatory information, highlighting the related tab.

To complete the form and be able to send it, click on **Edit** on the toolbar, provide the missing information, click **Save** and finally **Submit**.

If you are a **SLO**, after this step you will be able to review the content of the

form before it reaches its intended recipients.

To finally submit the form, you have to click on the **Approve & Broadcast** button on the toolbar.

6.2.3 Following up a received Coordinated Actions: Initiation

1. Search the “Coordinated Actions: Initiation” forms you received. To do this, you can either:

- Go to the dashboard and click on **Recently received notifications**, then look at the items in the result grid, or
- Click on the link to the entry included in the notification email that you receive in your functional mailbox each time a “Coordinated Actions: Initiation” form is sent to you;

Double-click on an entry in the result grid to open it.

If you are the recipient **SLO**, you may want to disseminate the entry to one or more competent authorities in your own Member State before dealing with it in any other way.

To do this, click **Disseminate** on the toolbar:



- Click on **Search** in the new “Authority search panel”.
- Click on one or more of the Authorities listed and then on the **Select** button.
- Click on **Yes** to confirm that you want to notify the selected authority(ies).

After dissemination, you can still the authorities’ replies in relevant comment section.

2. As a recipient Authority, you have to respond, primarily, to the opinion of the initiator about **who should coordinate the coordinated action** in a timely manner. Note that if at least one Authority from a given Member State agrees with the proposal by adding a comment, such Member State is counted as participating in the proposed coordinated action

To do this, on the summary tab:

- Click on **Add comment** in the **Comments / feedback by the recipients about the coordination** comment box.
- Select your answer from the options in the dropdown menu.
- Fill the required **Comment** field and click **Save**.

5. To follow up on the Coordinated Actions: Initiation, you can also:

- provide **Comments concerning the launch of / the participation in the proposed coordinated action**
- Opt out of the coordinated action, by adding a comment in the **Opting out** comment box

- Invite the Commission officials to participate in the Coordinated Actions by adding a comment in the related box. Only one entry can be entered per Member State in this field.
- Provide updates about the trader and the infringement using the relevant comment boxes in the **Trader details** and **Information on the infringement** tabs.
- Add comments clicking on the **Attachments and comments** tab.
- Attach a document: first consider if it contains **Personal Data** or not. Then, click **Upload File** on the corresponding section.



The authority sending the Coordinated Actions: Initiation form will be notified each time you add a comment or an attachment.

Multiple documents can be added as required.

- Reuse the content of the entry to create another “Coordinated Actions: Initiation” form clicking the **Reuse data** button on the toolbar.

6.2.4 Opting in an existing Coordinated Actions

The “Coordinated Actions: Initiation” form will turn into a Repository entry after 30 days, with its main content visible to all Member States.

In this way, **Member States not originally involved in the procedure can check the content and opt in later in the coordinated action** if they believe that the reported infringement concerns them.

To do this they will have to contact the Coordinator.

The Coordinator will then evaluate if the Member State is indeed concerned and, if that's the case, will forward the opt in request to the IMI CPC helpdesk.

To find all the ongoing “Coordinated Actions: Initiation” procedures, including those your Member State is not involved in:

1. From the menu on the left side, click on **"Notifications" ▶ "Search by form" ▶ CPC - Coordinated Actions: Initiation - Art. 16 to 18**
2. In the search criteria, look under the “Additional notification criteria” and select **Status ▶ Published**, then click on **Search** on the toolbar.
3. A list of the published entries that match the specified criteria will be presented. Double click on the relevant “Coordinated Actions: Initiations” form to open it.

6.2.5 Closing a Coordinated Actions: Initiation

To close the “Coordinated Actions: Initiation” form, the creator of the form has to click the **Deactivate** button on the toolbar.



This action is required **only after the closure of the eventual “Coordinated Actions: Investigation and enforcement”** procedure started after the Initiation form. Do not close this form sooner!

6.3 Coordinated Actions: Investigation and enforcement

Once the selection of the coordinator is finalized, the coordinated action can move on to the investigation and enforcement phase.

Competent authorities concerned by the coordinated action shall ensure that investigations and inspections are conducted in an effective, efficient and coordinated manner. They shall seek, simultaneously with one another, to conduct investigations and inspections.

To ensure investigations and inspections are properly coordinated, concerned MS will be able to discuss and agree on an investigation plan for the coordinated action, work on a common position/other joint documents together and plan coordinated enforcement within the IT tool.

If the infringement is persisting, under Article 21 of the CPC Regulation the competent authorities concerned by the coordinated action shall take within their jurisdiction all necessary enforcement measures against the trader responsible for the widespread infringement or the widespread infringement with a Union dimension to bring about the cessation or prohibition of that infringement.

Enforcement measures are in particular appropriate where:

- a) an immediate enforcement action is necessary to bring about the swift and effective cessation or prohibition of the infringement;
- b) it is unlikely that the infringement will cease as a result of the commitments proposed by the trader responsible for the infringement;
- c) the trader responsible for the infringement has not proposed commitments before the expiry of a time limit set by the competent authorities concerned;
- d) the commitments that the trader responsible for the infringement proposed are insufficient to ensure the cessation of the infringement or, where appropriate, to provide a remedy to consumers harmed by the infringement; or
- e) the trader responsible for the infringement has failed to implement the commitments to cease the infringement or, where appropriate, to provide a remedy to consumers harmed by the infringement, within the time limit referred to in Article 20(3).

The competent authorities concerned by the coordinated action shall seek to take enforcement measures simultaneously, in an effective, efficient and coordinated manner.

6.3.1 Coordination under the Investigation and enforcement form

The following tabs are used by the Member States involved to carry out the coordinated action while the procedure is in **Open for comments** status.

Plan of investigation and relevant actions

Plan of action: the coordinator will be able to add more items to this list over time, based on the proposals made by other Member States in the list below. The coordinator will summarize the updates and add them to the form as comments.

Proposals for additional actions to be taken: comment box for the Member States to propose to the coordinator new additions to the plan of action.

Information on relevant Mutual Assistance requests: here the Member States can propose to the coordinator to send a mutual assistance request to a Member State not involved in the coordinated action.

Report / print-out of relevant Mutual Assistance request: here all parties can attach documents related to the mutual assistance request discussed above.

Attachments: here all parties can attach documents supporting the Coordinated Action.

Coordinated work

Common Position: the coordinator will upload the final common position drafted outside of IMI at the link provided in the link to the draft common position⁶ field.

Deadline for commenting on draft common position: this date is provided by the coordinator. It is responsibility of the coordinator to remind the participants about these deadlines.

Communication with the trader: the coordinator will have to keep this list updated with all the exchanges of information with the trader over the course of the coordinated action.

Press release: the coordinator will add here the final version of each press release published during the coordinated action, including the link to the drafts prepared outside IMI

Comments: here all parties involved can comment about the communication with the trader and other communication material (e.g. press releases).

Plan of coordinated enforcement: on this tab, the Coordinator can request to the Member States involved in the coordinated action to take enforcement measures about the infringement.

Deadline / timeframe for the measures: these deadlines are set by the coordinator; it is their responsibility to remind the participants about them.

Reaction from participating authorities on their measure taken: comment box where involved Member States can update each other about the enforcement measures taken

Supporting documents: attachments added by the participating Member States about the enforcement measure

Applicable to the following participants: here the coordinator lists the Member States who are requested to take enforcement measures

Closure: on this tab, the Coordinator can request from the Member States to react on

⁶ Please note that you cannot directly comment on the draft documents shared within the IMI system (such as common position, press release, or reply/analysis/monitoring/other communication related to commitments). The tab will include a link to the dedicated wiki page where you will be able to open the draft and comment on it simultaneously. In order to do so, you need to install the Atlasian component on your computer. If you are not allowed to use the Atlasian component, you can always comment directly on the wiki page or upload your comments. Your comments will be then merged with the general document for further discussion.

the proposal to close the coordinated action if the **widespread infringement or widespread infringement with a Union dimension has ceased or has been prohibited in all Member States concerned, or that no such infringement was committed.**

The coordinator has an obligation to notify the Commission and, where applicable, the competent authorities and the SLOs concerned by the coordinated action of the closure of the coordinated action without delay. The notification of the closure will be done automatically in the IMI system once the coordinator completes the closing procedure (explained below).

All information about the infringement has to be removed after 5 years following the date on which the coordinator notified the closure of the coordinated action pursuant to Article 22(1) of the CPC Regulation (Article 35), even if the information does not include personal data. After this period, it can be used only for statistical reasons (e.g. total amount of entries, type and legal basis information).

6.3.2 Creating and sending a Coordinated Actions: Investigation and enforcement



The creation of the “Coordinated Actions: Investigation and enforcement” form should be carried out by the coordinator designated during the initiation phase of the coordinated action.

To launch this procedure, the coordinator will **always** have to start from an existing “Coordinated Actions: Initiation” form and reuse the data included within it.

1. Open the “Coordinated Actions: Initiation” form on which you are basing the “Coordinated Actions: Investigation and enforcement” procedure.
 - From the menu on the left side, click on **“Notifications” ▶ “Search by form” ▶ Coordinated Actions: Initiation - Art. 16 to 18.**
 - Specify your search criteria, such as the country initiating the form, and click on **Search** on the toolbar.
 - A list of the entries that match the specified criteria will be presented. Double click on the relevant entry to open it.
2. Click on **Reuse Data** in the top right hand corner of the page, then select **“CPC - Coordinated Actions: Investigation and enforcement - Chapter IV”**.
3. You are now in the **Summary** tab of the draft “Coordinated Actions: Investigation and enforcement” form.

The **Recipient Member States** and the **Type of infringement** are already filled with the information from the initiation form.



The **Recipient Member States** and the **Type of infringement** can be modified at this stage.

However, if the Type of infringement is intra-union or unknown, you will be prevented from proceeding with the filling of the form, as per Chapter IV of the CPC Regulation

4. Provide the **Coordinator Contact details** (if not already provided).
5. Now you can navigate between the tabs of the form using the **Previous** and **Next** buttons in the top right hand corner of the page.

All available information has been carried over from the Initiation form used as basis, but you can still update it if necessary.

6. Keep clicking **Next** until you get to the **Plan of investigation and relevant action** tab.

Provide the **Plan of action**.

You can add multiple measures by clicking on **Add**.

For each entry of the plan, you can provide a wide range of details. In particular, pay attention to the following mandatory fields:

- **Type of action**, selected from the drop down menu
- **Description of the action** in a free text field
- **Deadline / timeframe for the action**
- **Applicable to the following participants**, to be selected from the list of the Member States.

7. Click on **Next** again to go through the **Coordinated work** and **Plan of coordinated enforcement** tabs.

These tabs are available to the authorities involved in the Coordinated Action to keep each other updated and can be filled at a later time.

8. Click **Save** in the top right hand corner of the page to create the entry.



The form has not been sent yet! The status of the entry is **Draft**.

When the entry is in draft status, it is possible to:

- **Edit** any information
- Remove this draft from the system by clicking **Delete** on the toolbar. No trace of it is kept in the system.
- Check the **Management Information** tab to keep track of the main data about the entry, such as links to other procedures.
- Add comments and attachments in the relevant tab.

9. To send the “Coordinated Actions: Investigation and enforcement” form, click **Submit** on the toolbar.



The system will warn you if you forgot to include mandatory information, highlighting the related tab.

To complete the form and be able to send it, click on **Edit** on the toolbar, provide the missing information, click **Save** and finally **Submit**.

If you are a **SLO**, after this step you will be able to review the content of the

form before it reaches its intended recipients.

To finally submit the form, you have to click on the **Approve & Broadcast** button on the toolbar.

6.3.3 Following up a received Coordinated Actions: Investigation and enforcement

1. Search the “Coordinated Actions: Investigation and enforcement” forms you received. To do this, you can either:

- Go to the dashboard and click on **Recently received notifications**, then look at the items in the result grid, or
- Click on the link to the entry included in the notification email that you receive in your functional mailbox each time a “Coordinated Actions: Investigation and enforcement” form is sent to you;

Double-click on an entry in the result grid to open it.

If you are the recipient **SLO**, you may want to disseminate the entry to one or more competent authorities in your own Member State before dealing with it in any other way.

To do this, click **Disseminate** on the toolbar:



- Click on **Search** in the new “Authority search panel”.
- Click on one or more of the Authorities listed and then on the **Select** button.
- Click on **Yes** to confirm that you want to notify the selected authority(ies).

After dissemination, you can still see what the authorities’ input in the relevant sections.

3. As a recipient Authority, you can:

- Propose additional actions to add to the **Plan of Action in the Plan of investigation and relevant actions** tab
- Opt out of the coordinated action, by adding a comment in the **Opting out** comment box
- Invite the Commission officials to participate in the Coordinated Actions by adding a comment in the related box. Only one entry is allowed per Member State in this field.
- Provide updates about the trader and the infringement using the relevant comment boxes in the **Trader details** and **Information on the infringement** tabs.
- Add comments clicking on the **Attachments and comments** tab.
- Attach a document: first consider if it contains **Personal Data** or not. Then, click **Upload File** on the corresponding section.



The authority sending the Coordinated Actions: Investigation and Enforcement form will be notified each time you add a comment or an attachment.

Multiple documents can be added as required.

- Reuse the content of the entry to create another “Coordinated Actions: Investigation and enforcement” form clicking the **Reuse data** button on the toolbar.

6.3.4 Closing a Coordinated Actions: Investigation and enforcement

To close the “Coordinated Actions: Investigation and enforcement” form:

1. The coordinator proposes the closure through the **Proposal to close the Coordinated Action** comment box in the **Closure** tab.
2. The Member States involved express their agreement or disagreement with the proposal through the **Reaction to proposal** comment box in the **Closure** tab
3. When an agreement is reached, the coordinator closes the procedure clicking the **Close** button on the toolbar.
4. The coordinator deactivates the original “Coordinated action: Initiation” form from which this investigation and enforcement started.

To do this:

- open the original “Coordinated action: Initiation” form through the **Links** section of the Management Info tab
- click **Deactivate** on the toolbar



If the original “Coordinated action: Initiation” form was not created by the coordinator, the coordinator will have to contact the creator of that form requesting its deactivation.

7 Searching in IMI

The search functionality in IMI allows you to enter a search term or select an option from a list of available criteria that will allow you to filter through all entries in the CPC modules of the IMI system you have access to. As a result, you will receive a focused list of entries making it quicker and easier to find what you are looking for.

7.1 Searching All Forms

This search functionality will search for all forms within the given type of procedure selected. For example, using the search all forms for the alerts procedure type will search all Alerts procedures regardless if it is external, for information, requiring verification or linked to potential coordinated action.

To do this:

1. From the **IMI Menu** on the left select the appropriate procedure (Requests, Alerts or Notifications) to expand the menu.
2. Select **Search all forms**.
3. The search criteria will now appear. Set your search criteria (e.g. status or broadcast date) and click on **Search** in the toolbar.

A list of search results will be displayed in a new tab.

7.2 Search by Form

This search function will search only for a particular type of procedure. For example, using the search by form for Alert sent for information procedures ONLY.

To do this:

1. From the **IMI Menu** on the left select the appropriate procedure (Requests, Alerts or Notifications) to expand the menu.
2. Select **Search by form**. A pop up list of all the available procedure types will appear. Select the appropriate entry from the list.
3. The search criteria will now appear. Set your search criteria (e.g. Applicable EU legislation or nature of the infringement) and click on **Search** in the toolbar.

A list of search results will be displayed in a new tab.

7.3 Managing the columns of the search results

You can add or remove columns to better manage and view search results (e.g. to filter and sort Mutual Assistance entries by trader name or infringed legal basis).

1. Move the mouse over a particular column header and select the drop down arrow that appears.
2. From the popup list, move the mouse over the **Columns** option and a list of all the available columns will appear. Tick or untick the corresponding tick boxes for the columns you want to see in the search results.
3. You can also use the pop up menu to sort the search results in **Ascending** or **Descending** order. This is particularly useful for managing the due dates column.

7.4 Exporting search results to an Excel file

1. From list of search results, select the **Export** icon.
2. From the report language popup that appears on the screen, select the appropriate language for the export to be performed in (this should automatically default to the session language selected).
3. Select **Ok**

The report will now be generated and placed in the **My Reports** section of IMI.

From the **IMI Menu** on the left, select **My Reports**. The report will be listed as Report Type "Search export". Double click on the report line and select **Open** to directly open the report, or **Save** to save the report to your computer.

8 Language Translations

IMI can be used in all official European Union languages, and can perform machine translation on free text fields (Machine translation only provides a rough translation of the text. Machine output may be adequate to obtain a quick overview of the content of a free text field).

If you would like to change the language of IMI:


1. Make sure that any ongoing work is saved, otherwise all changes will be lost.
2. Select the desired language from the **Language** drop down menu in the top right hand corner of the screen. IMI will refresh and bring you back to the home screen.

All labels, menu items, field names, headings, banners etc. will be translated into the selected language.

Language translations of free text fields can be completed in 2 ways. Please note that translations can only be done when **NOT** in edit mode.

1. **Translate All** button: this will translate **ALL** free text fields into the language selected by the current logged on user. In order to determine which language the logon is set to, there is a **Language** drop down field in the far top right hand corner of the screen.

To do this, simply click the **Translate All** button on the toolbar.

2. **Field by field translation**: attached to all translatable fields in IMI is a speech bubbles icon ().

If you select the speech bubble, a list of available languages will appear. Select the language you want the text to be translated to and the translation will happen to free text field entered into that field only.

9 IMI Report Generation

A standard report can be generated in IMI to provide an overview of the information entered into any procedure.

This report will present the information entered into IMI as a PDF document that can then be downloaded onto your computer. The PDF file will only be available for a period of 30 days after generation in IMI after which it will be deleted.

To generate a report:

1. From an existing procedure, click the **Print** button on the toolbar.
2. The **Print** pop up screen will appear.

Check the **I need digital signature** box if needed (which means that a digital signature is required in your PDF viewer to open the report).

3. Click **OK**.

The report is generated as a PDF document and added to the **My Reports** section in IMI.

To view the generated report:

1. From the **Menu** on the left of the screen, select **My Reports**. A list of all generated reports will appear.
2. Double click on the line of the report, select **Open** from the popup to directly open the pdf, or select **Save** to save the report to your computer.

10 Resources

IMI WEBSITE:

https://ec.europa.eu/internal_market/imi-net/

NATIONAL IMI COORDINATORS:

https://ec.europa.eu/internal_market/imi-net/contact/index_en.htm

IMI HELPDESK:

GROW-IMI-CPC@ec.europa.eu

Annex I – Core information about the infringement

The following tables list the information you will always need to provide about the infringement when creating an entry from scratch, regardless of the procedure (e.g. mutual assistance, alerts etc.).

Legal Basis

Applicable EU legislation: check the box of the Directives or Regulations related to the infringement.

Relevant articles in the selected EU legislation: provide the references to the specific articles using the free text box.

Details of national legal basis: this information might be mandatory according to the procedure you are following if you selected any Directive as applicable EU legislation. In addition, you can also attach documents and provide a direct link to the national legal basis.

Trader details

Name of the trader: this is the name of the company involved in the infringement. If this information is available, click **Known** and specify whether the name of the company includes personal data (such as when it includes the owner's name).

Trader's presence on the Internet: if available, select **Known** and provide all available information about apps, social media accounts and websites related to the trader.

Details of the online interface: you can add new items to this list by clicking on **Add**. Then, select the **Type of online interface** and fill the available fields (e.g. name, direct link, etc.).



Alerts shall only be sent if either the trader's name or its online interface is known.

Details concerning the trader: provide the names of the trader's representatives, if any, and specify if there is a **parent company** involved.

Type of business / sector: if **Known**, select the type of business / sector of the trader from the dropdown list.

Identification: if **Known**, you can provide the Tax / VAT number of the trader and any additional information useful for its identification, such as registration and bank account numbers

Establishment details: if **Known**, provide all the available addresses of the trader. You also have to specify if, as far as you know, the trader also operates in other EEA countries.

E-mail address and other contact details: if **Available**, provide all the contact details of the trader, such as email addresses and phone numbers.

Information on the infringement

Type and nature of the infringement: provide a **Short summary** of the infringement / suspected infringement using the free text field.

In addition to that, you will have to specify **Nature**, **Status** and **Assumed type** of the infringement.

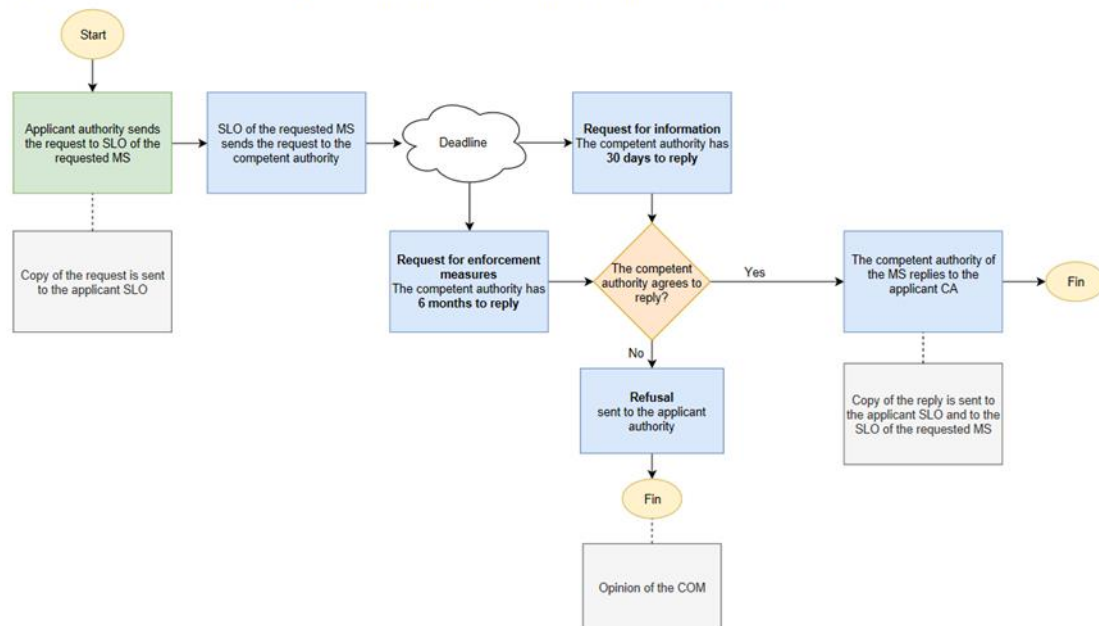
Product/service and media involved: provide the **Name of the product or service** involved in the infringement and select the **Advertising medium** and **Sales medium** used from the list.

In addition, here you can also provide complementary information about the impact of the infringement.

Annex II - Overview of procedures

Mutual assistance mechanism

Mutual assistance mechanism - request for information and request for enforcement measures



Coordinated Actions

Procedure for coordinated actions to address widespread infringements and widespread infringements with a Union dimension

