



EUROPEAN  
COMMISSION

Brussels, **XXX**  
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**COMMISSION IMPLEMENTING REGULATION (EU) .../...**

**of **XXX****

**laying down rules for the application of Regulation (EU) 2023/956 of the European  
Parliament and of the Council as regards the CBAM registry**

(Text with EEA relevance)

*This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.*

# COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

## laying down rules for the application of Regulation (EU) 2023/956 of the European Parliament and of the Council as regards the CBAM registry

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2023/956 of the European Parliament and of the Council of 10 May 2023 establishing a carbon border adjustment mechanism<sup>1</sup>, and in particular Article 14(6) thereof,

Whereas:

- (1) Regulation (EU) 2023/956 requires the Commission to establish, at Union level, a standardised and secure electronic database for CBAM certificates management, CBAM declarations, applications to become authorised CBAM declarants, and a registration of operators of installations ('operators'), and for providing access, case handling and confidentiality, in particular confidential information provided by operators. The Commission already gained experience in setting up a registry for CBAM purposes when it implemented the CBAM Transitional Registry provided for in Commission Implementing Regulation (EU) 2023/1773<sup>2</sup>.
- (2) In accordance with Regulation (EU) 2023/956, the Commission is to adopt implementing rules for the application of the CBAM registry.
- (3) The CBAM registry should be the system for the filing and management of the CBAM declarations, including checks, indicative assessments, and review procedures. The CBAM registry should contain data on authorised CBAM declarants, applicants filing a request to be granted the status of authorised CBAM declarant ('applicants'), operators, and accredited CBAM verifiers. The information about the operators shall be contained in a separate section of the CBAM registry. The CBAM registry should also include the IT infrastructure required to allow for the analytical tasks inherent in CBAM risk-analysis functions that the Commission is to perform.
- (4) To ensure an accurate assessment of the reporting obligations, to provide customs authorities with access to CBAM data for the purposes of verification of CBAM formalities during customs clearance, and to support the related risk analysis and

<sup>1</sup> OJ L 130, 16.5.2023, p. 52, ELI: <http://data.europa.eu/eli/reg/2023/956/oj>.

<sup>2</sup> Commission Implementing Regulation (EU) 2023/1773 of 17 August 2023 laying down the rules for the application of Regulation (EU) 2023/956 of the European Parliament and of the Council as regards reporting obligations for the purposes of the carbon border adjustment mechanism during the transitional period (OJ L 228, 15.9.2023, p. 94, ELI: [http://data.europa.eu/eli/reg\\_impl/2023/1773/oj](http://data.europa.eu/eli/reg_impl/2023/1773/oj)).

circumvention monitoring, including investigation in accordance with Articles 15, 19 and 27 of Regulation (EU) 2023/956, the CBAM registry should be interoperable with existing customs systems and should in particular exchange the data gathered by means of surveillance in accordance with Article 56(5) of Regulation (EU) No 952/2013 of the European Parliament and of the Council<sup>3</sup>. The CBAM registry should therefore use standardised data exchanges with existing customs systems.

- (5) In order to ensure an effective and uniform reporting system, technical arrangements for the functioning of the CBAM registry should be laid down. Such arrangements include arrangements for the development of the CBAM registry, interfaces, data protection, updating of data, limitation of data processing, system ownership and security, as well as testing and deployment for maintenance and potential modifications. Such arrangements should be compatible with the principle of data protection by design and by default, provided for in Article 27 of Regulation (EU) 2018/1725 of the European Parliament and of the Council<sup>4</sup> and Article 25 of Regulation (EU) 2016/679 of the European Parliament and of the Council<sup>5</sup>, as well as with security of processing provided for in Article 33 of Regulation (EU) 2018/1725 and Article 32 of Regulation (EU) 2016/679.
- (6) In order to secure access to the CBAM registry, the Uniform User Management and Digital Signature (UUM&DS) system, as referred to in Article 16 of Commission Implementing Regulation (EU) 2023/1070<sup>6</sup>, should be used for managing the authentication and access verification process for applicants, authorised CBAM declarants, as well as the representatives of the competent authorities. For technical purposes, the authorised CBAM declarant, applicant, or persons for whom the status of authorised CBAM declarants was revoked, should be allowed to delegate access to a person acting on their behalf while remaining responsible for the performance of the obligations laid down in Regulation (EU) 2023/956.
- (7) For the purpose of identifying and validating authorised CBAM declarants and applicants with their Economic Operator Registration and Identification (EORI) numbers by retrieving the EORI, of ensuring an accurate assessment of the CBAM obligations and of supporting the performance of risk analysis, circumvention monitoring, including investigation, the CBAM registry should be interoperable and exchange relevant data with the EORI system, as referred to in Article 30 of Commission Implementing Regulation (EU) 2023/1070.

<sup>3</sup> Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1, ELI: <http://data.europa.eu/eli/reg/2013/952/oj>).

<sup>4</sup> Regulation (EU) No 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>).

<sup>5</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/679/oj>).

<sup>6</sup> Commission Implementing Regulation (EU) 2023/1070 of 1 June 2023 on technical arrangements for developing, maintaining and employing electronic systems for the exchange and storage of information under Regulation (EU) No 952/2013 of the European Parliament and the Council (OJ L 143, 2.6.2023, p. 65, ELI: [http://data.europa.eu/eli/reg\\_impl/2023/1070/oj](http://data.europa.eu/eli/reg_impl/2023/1070/oj)).

- (8) For the purpose of retrieving the information on Customs Import Declarations for goods listed in Annex I to Regulation (EU) 2023/956 and the information regarding the goods and in order to conduct checks of the CBAM declarations and compliance with CBAM obligations, and for the purpose of risk analysis and circumvention monitoring, including investigation, arising from Articles 15, 19 and 27 of Regulation (EU) 2023/956 the CBAM registry should be interconnected with the Surveillance system, developed through the UCC Surveillance 3 (SURV3), as referred to in Article 99 of Implementing Regulation (EU) 2023/1070. That information should include the cases in Article 2(2) of Regulation (EU) 2023/956
- (9) For the purpose of verifying that goods are only imported by an authorised CBAM declarant, as well as in the cases provided for in Article 2(2) of Regulation (EU) 2023/956, the CBAM registry should be interconnected with the EU Single Window Environment, established in accordance with Article 3 of Regulation (EU) 2022/2399 of the European Parliament and of the Council<sup>7</sup>.
- (10) For checking and reporting purposes, together with risk analysis and circumvention monitoring, including investigations, in accordance with Articles 15, 19 and 27 of Regulation (EU) 2023/956, the national customs systems should provide the required information on imports and re-exports, as referred to in Commission Implementing Decision (EU) 2023/2879<sup>8</sup>. Where the national customs systems cannot provide the information through an automatic exchange, the CBAM registry should provide technical solutions to communicate the information directly in the CBAM registry. That information should include information on the import of goods listed in Annex I to Regulation (EU) 2023/956, the information of goods placed under inward processing, the release for free circulation of processed products with goods as input and of CBAM processed products, that information should include the cases in Article 2(2) of Regulation (EU) 2023/956.
- (11) For identifying imported goods by means of their classification in the Combined Nomenclature ('CN') set out in Council Regulation (EEC) No 2658/87<sup>9</sup> and the storage provisions set out in Implementing Regulation (EU) 2023/1070 should be used for providing information on imported goods listed in Annex I to Regulation (EU) 2023/956.
- (12) In order to ensure the continuity of data reporting at all times, it is important to provide for alternative solutions to be implemented in the event of a temporary failure of the CBAM registry. To that effect, the Commission should lay down a CBAM business continuity plan.
- (13) The competent authorities and the Commission process personal data registered on the CBAM Registry in line with their tasks as specified in Regulation 2023/956 and as such they act as data controllers in the meaning of Article 26 of the Regulation (EU)

<sup>7</sup> Regulation (EU) 2022/2399 of the European Parliament and of the Council of 23 November 2022 establishing the European Union Single Window Environment for Customs and amending Regulation (EU) No 952/2013 (OJ L 317, 9.12.2022, p. 1, ELI: <http://data.europa.eu/eli/reg/2022/2399/oj>).

<sup>8</sup> Commission Implementing Decision (EU) 2023/2879 of 15 December 2023 establishing the work programme relating to the development and deployment of the electronic systems provided for in the Union Customs Code (OJ L, 22.12.2023, p. 1 ELI: [http://data.europa.eu/eli/dec\\_impl/2023/2879/oj](http://data.europa.eu/eli/dec_impl/2023/2879/oj)).

<sup>9</sup> Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (TARIC) (OJ L 256, 7.9.1987, p. 1, ELI: <http://data.europa.eu/eli/reg/1987/2658/oj>).

2016/679 and Article 28 of the Regulation (EU) 2018/1725. The Commission also provides the technical and organisational solutions for the CBAM registry on behalf of the Member States and as such it processes data on their behalf, acting as a data processor in the meaning of Article 4(8) of the Regulation (EU) 2018/1725. In compliance with Regulation (EU) 2023/956 the different qualifications of the different roles will be adjusted accordingly. Personal data should be kept in a form which permits the identification of data subjects for no longer than necessary for the purposes for which personal data are processed. In this regard, the data retention period for the CBAM registry shall be limited to 10 years from the registration in the CBAM registry.

- (14) This Regulation concerns the provision of a public service to facilitate cross-border access and management of CBAM regulated information and will abide by the requirements of the Interoperable Europe Act Regulation (EU) 2024/903.
- (15) IT development and procurement strategy choices will be subject to pre-approval by the European Commission Information Technology and Cybersecurity Board.
- (16) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council<sup>10</sup> [and delivered an opinion on (...)].
- (17) The measures provided for in this Regulation are in accordance with the opinion of the CBAM Committee.

HAS ADOPTED THIS REGULATION:

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<sup>10</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices, and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>).

# Chapter I

## Subject matter and definitions

### *Article 1*

#### **Subject matter**

This Regulation lays down the rules for application of the CBAM registry, concerning the infrastructure and specific processes and procedures of the CBAM registry.

### *Article 2*

#### **Definitions**

For the purposes of this Regulation, the following definitions shall apply:

- (1) ‘national component’ means a component of the electronic systems developed at national level, which is available in the Member State that created it;
- (2) ‘trans-European system’ means a collection of collaborating systems with responsibilities distributed across the national administrations and the Commission, and developed in cooperation with the Commission;
- (3) ‘decentralised systems’ means a trans-European system consisting of common components and national components based on common specifications;
- (4) ‘applicant’ means an importer, or indirect customs representative, who applies for the status of authorised CBAM declarant.

# Chapter II

## CBAM registry

### *Section 1*

#### **CBAM registry**

### *Article 3*

#### **Functions of the CBAM registry**

1. The CBAM registry shall be a standardised and secure electronic database containing data elements of CBAM declarations, of applications with a view to obtaining the status of CBAM declarants, registration of operators and installations, accredited CBAM verifiers, and providing access, case handling and confidentiality.
2. The CBAM registry shall enable communication, notification, registration, checks and information exchange between the Commission, the competent authorities, authorised CBAM declarants, applicants, persons for whom the status of authorised CBAM declarants was revoked, and operators. Furthermore, it shall allow for information exchange with customs authorities.
3. The CBAM registry shall allow for the analytical tasks inherent in CBAM risk-analysis functions that the Commission is to perform.
4. The Commission shall be the system owner of the CBAM registry.

### *Article 4*

#### **Structure of the CBAM registry**

1. The CBAM registry shall consist of the following components:
  - (a) the CBAM Declarants Portal (CBAM DP);
  - (b) the CBAM National Competent Authorities Portal (CBAM NCA);
  - (c) the CBAM European Commission Portal (CBAM COM);
  - (d) the CBAM Operators Portal (CBAM Operator);
  - (e) the public CBAM page on the European Union website, namely the Europa website.
2. The competent authority of the Member State of establishment of the authorised CBAM declarant, or a person other than an authorised CBAM declarant introducing goods into the customs territory of the Union in the cases described in Article 26(2) of the Regulation (EU) 2023/956, shall communicate the decisions on penalties linked to enforcement and penalties to the Commission by electronic systems developed at national level.

### *Article 5*

#### **Interoperability with customs systems**

1. The CBAM registry shall be interoperable with the following systems:

- (a) the Uniform User Management and Digital Signature (UUM&DS) system for users registration and access management for the Member States, the Commission, authorised CBAM declarants, applicants and persons holding a revoked authorisation, as referred to in Article 16 of Implementing Regulation (EU) 2023/1070;
  - (b) the Economic Operator Registration and Identification (EORI) system, as referred to in Article 30 of Implementing Regulation (EU) 2023/107, and shall exchange EORI data laid out in Annex I to this Regulation;
  - (c) the Surveillance system, developed through the UCC Surveillance 3 (SURV3), as referred to in Article 99 of Implementing Regulation (EU) 2023/1070;
  - (d) the Integrated Tariff of the European Union (TARIC) as referred to in Regulation (EEC) No 2658/87;
  - (f) the common central platform (CCP) as referred to in Article 20 of Regulation (EU) 2023/956;
  - (g) the CBAM Transitional Registry as referred to in Article 10 of Implementing Regulation (EU) 2023/1773.
2. The CBAM registry shall allow digital cooperation via the EU Single Window Environment for Customs, as referred to in Article 3 Regulation (EU) 2022/2399.
3. The CBAM registry shall allow the customs authorities to communicate the customs information as referred to in Article 25 of Regulation (EU) 2023/956, from national customs systems and decentralised systems as developed or upgraded as provided for in Implementing Decision (EU) 2023/2879. This transmission shall happen automatically via the Surveillance system, developed through the UCC Surveillance 3 (SURV3), as referred to in Article 99 of Implementing Regulation (EU) 2023/1070, or via a manual upload by the customs authorities in the CBAM registry.
- The CBAM registry shall allow the upload of data related to inward processing as referred to in Article 2(1) in Regulation (EU) 2023/956.

#### *Article 6*

#### **Contact points for the electronic systems**

The Commission and competent authorities shall designate contact points for each of the components and systems referred to in Articles 4 and 5 for exchanging information to ensure a coordinated development, operation, and maintenance of those components. The competent authorities may use existing contact points.

The Commission and Member States shall communicate the details of the contact points to each other and shall inform each other immediately of any changes to those details.

#### *Article 7*

#### **Terms of collaboration in the CBAM registry**

The Commission shall propose the terms of collaboration, service level agreements and a security plan, which shall be subject to the agreement with the competent authorities. The Commission shall operate the CBAM registry in compliance with the terms of collaboration.

#### *Section 2*



## **Access management and portals**

### *Article 8*

#### **CBAM User Access Management**

1. The authentication and access verification of the authorised CBAM declarants, applicants, and persons for whom the status of authorised CBAM declarants was revoked, for the purposes of access to the components of the CBAM registry, shall be performed using the UUM&DS system.
2. The Commission shall provide the authentication services allowing the users of the CBAM registry to securely access the registry.
3. The Commission shall use UUM&DS to grant the authorisation to access the CBAM registry to its staff.
4. The competent authorities shall use UUM&DS to grant the authorisation to access the CBAM registry to their staff, the authorised CBAM declarants, applicants, and persons for whom the status of authorised CBAM declarant was revoked, that are established in their Member State.
5. A competent authority may use an identity and access management system set up in that Member State (national Customs eIDAS system) to provide the necessary credentials to access the CBAM registry.
6. The applicant, the authorised CBAM declarant, or persons for whom the status of authorised CBAM declarants was revoked, may to delegate access to the CBAM registry to persons acting on their behalf. Delegators shall remain responsible for performing their obligations laid down in Regulation (EU) 2023/956.

### *Article 9*

#### **CBAM Declarants Portal**

1. The CBAM Declarants Portal shall be the unique entry point to the CBAM registry for the authorised declarants and for the applicants. The portal shall be available on the Internet.
2. The CBAM Declarants Portal shall be used for the following actions:
  - (a) applications for the status of authorised CBAM declarant and for revocation of the status;
  - (b) submissions of the CBAM declarations;
  - (c) notifications related to CBAM obligations.
3. The CBAM Declarants Portal shall allow functionalities for the authorised CBAM declarants to store the information relating to third-country installations and embedded emissions for their later re-use.
4. Access to the CBAM Declarants Portal shall be exclusively managed in accordance with Article 8.

### *Article 10*

#### **CBAM Operators Portal**

1. The CBAM Operators Portal shall be the unique entry point to the CBAM registry for operators of installations. The portal shall be accessible from the Internet.

2. The CBAM Operators Portal shall be used by operators of installations in accordance with Article 10 of Regulation 2023/956 for the following actions:
  - (a) registering the information on that operator and on its installations;
  - (b) registering information on the goods produced by an installation;
  - (c) receiving notifications and communication related to their registration and use of information in the CBAM registry.
3. An operator shall submit a request to the Commission to be assigned a profile to obtain access the CBAM Operators Portal. This request shall be accompanied by supporting documents demonstrating the operator's legal registration in the country of establishment, including name, address, contact information, and national corporate registration number. Where the supporting documents are sufficient to attest to the accuracy of the information contained therein, the Commission shall assign the requested profile to the requesting operator.
4. The operator shall use the EU Access central service operated by the Commission to request the access the CBAM registry.

#### *Article 11*

##### **CBAM National Competent Authorities Portal**

1. The CBAM National Competent Authorities Portal shall be the unique entry point to the CBAM registry for the competent authorities. The portal shall be accessible from the Internet.
2. The CBAM National Competent Authorities Portal shall be used by the competent authorities to carry out the tasks laid down in Regulation (EU) 2023/956.
3. The CBAM registry shall allow for the Member States to import and export data from the registry.
4. Access to the CBAM Competent Authorities Portal for the National Competent Authorities shall be exclusively managed by the CBAM User Access Management referred to in Article 8.

#### *Article 12*

##### **CBAM European Commission Portal**

1. The CBAM European Commission Portal shall be the unique entry point to the CBAM registry for the Commission.
2. The CBAM European Commission Portal shall be used by the Commission to perform the tasks laid down in Regulation (EU) 2023/956.
3. Access to the CBAM European Commission Portal shall be exclusively managed by the CBAM User Access Management referred to in Article 8.

#### *Article 13*

##### **Member States' identity and access management systems**

Member States shall set up a new UUM&DS identity and access management system or use their own existing customs UUM&DS for the following functions:

- (a) secure registration and storage of identification data of authorised CBAM declarants, applicants and other persons;

- (b) secure exchange of signed and encrypted identification data of authorised CBAM declarants, applicants and other persons.

### *Section 3*

## **Functioning of the CBAM registry**

### *Article 14*

#### **Development, testing, deployment and management of the CBAM registry**

1. The CBAM registry's components shall be developed, tested, deployed and managed by the Commission, and may be tested by Member States.
2. The Commission shall design and maintain the common specifications of the interfaces listed in Article 4 and 5 in close cooperation with Member States.
2. Where appropriate, the Commission shall define common technical specifications in close cooperation with, and subject to review by, the competent authorities, with a view to deploying them in due time. The Commission and Member States shall collaborate with CBAM declarants, applicants and other stakeholders.
3. In collaboration with the competent authorities, the Commission shall conduct testing and validation of the interoperability between the CBAM registry and the systems as referred to in Article 5 to ensure that data is cross-checked accurately, efficiently and confidentially.

### *Article 15*

#### **Maintenance of the CBAM registry and changes thereto**

1. The Commission shall perform the maintenance of the common components and the competent authorities shall perform the maintenance of their national components of the CBAM registry.
2. The Commission may update the components of the CBAM registry to correct malfunctions, to add new functionalities or to alter existing ones.
3. The Commission shall inform the competent authorities of changes and updates to the components of the CBAM registry.

### *Article 16*

#### **Temporary failure of the CBAM registry**

1. In the event of a temporary failure of the CBAM registry, CBAM declarants and applicants shall submit the information required to comply with their obligations in relation to CBAM obligations under Regulation (EU) 2023/956 by the means specified in the CBAM business continuity plan.
2. The Commission shall inform competent authorities on major unavailability of CBAM registry which will impact the availability levels defined in the Service Level Agreements referred to in Article 7.
3. The Commission shall inform the authorised CBAM declarants and operators on requirements, major updates and long-lasting unavailability of the CBAM registry in accordance with the CBAM business continuity plan.

**Training and communication support on the use and functioning of the CBAM registry**

1. The Commission may support the competent authorities in the use and functioning of the components of the CBAM registry by providing the appropriate training and communication material.
2. The competent authorities are responsible for managing trainings referred to in paragraphs 1 and providing the national service desk support to authorised CBAM declarants and applicants.

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## Chapter III

### Security of the CBAM registry and data protection

#### *Article 18*

##### **Personal data protection**

The personal data registered in the CBAM registry, and the components of electronic systems developed at national level, shall be processed by the competent authorities and the Commission for the following purposes:

- (a) authentication purposes and access management;
- (b) application processing and management;
- (c) submission and management of CBAM declarations;
- (d) monitoring, checks and review of CBAM declarations;
- (e) operator and verifier management;
- (f) CBAM certificates management;
- (g) communication and notifications;
- (h) compliance;
- (i) functioning of the IT infrastructure, including interoperability with national systems and trans-European decentralised systems under this Regulation;
- (j) statistics and review of the functioning of Regulation (EU) 2023/956;
- (k) risk analysis and circumvention monitoring, including investigation;
- (l) verification that the importation of goods and the re-export of goods, in the cases provided for in Article 2(2) of Regulation (EU) 2023/956 is performed by an authorised CBAM declarant.

#### *Article 19*

##### **Specific role of the Commission and the competent authorities**

1. The Commission shall be the controller for:
  - (a) management of the CBAM registry;
  - (b) the processing of personal data registered in the CBAM Operators Portal;
  - (c) the use, validation and retrieving of EORI or other data for the purpose of the risk analysis and circumvention monitoring, including investigation, as provided for in Articles 15, 19 and 27 of Regulation (EU) 2023/956.
2. The competent authority shall be the controller for
  - (a) the personal data processing to take decisions on the granting and revocation of authorisations of CBAM declarants in accordance with Regulation (EU) 2023/956;
  - (b) the processing of personal data for the access management of declarants established within their Member State in accordance with Articles 8 and 13 of this Regulation.

## *Article 20*

### **Responsibility of the controllers towards data subjects**

Where a controller receives a data subject request that does not fall under its responsibility in accordance with Article 19, it shall forward that request promptly and at the latest within 3 calendar days from the receipt to the responsible controller.

## *Article 21*

### **Limitation of data access, data processing and confidentiality**

1. All information held in the CBAM registry shall be considered confidential.  
The authorised CBAM declarants and applicants may access personal data registered in the CBAM registry after their registration in the registry.
2. The operators may access their personal data registered in the CBAM registry after their registration in the registry. Authorised CBAM declarants may access personal data registered by operators in the CBAM registry or otherwise processed those data, where authorisation in that respect was granted by the operators.
3. The Commission and the competent authorities may access and otherwise process the personal data and other data from Customs Import Declarations for goods not listed in Annex I to Regulation (EU) 2023/956 in accordance with Articles 15, 19 and 27 of Regulation (EU) 2023/956.  
The Commission and the competent authorities may access and otherwise process the data from the EORI system, in accordance with Articles 15, 19 and 27 of Regulation (EU) 2023/956.

## *Article 22*

### **System security**

1. The Commission shall implement appropriate technical and organisational measures for the system security following consultations with competent authorities.
2. The competent authorities shall implement appropriate organisational measures for the system security.
3. The technical measures and organisational measures referred to in paragraphs 1 and 2 of this Article shall be designed to:
  - (a) ensure the security, integrity, confidentiality, availability and continuity of the personal data processed;
  - (b) protect against any unauthorised or unlawful processing, alteration, loss, use, disclosure of, or access to any personal data in their possession;
  - (c) restrict disclosure or access to personal data to anyone other than the intended recipients in accordance with this Regulation and Regulation (EU) 2023/956.
4. The Commission and the competent authorities shall notify each other and provide assistance in case of critical security incidents activating the CBAM business continuity plan when such incidents imply a personal data breach in the meaning of Article 4(12) of Regulation (EU) 2016/679 and Article 3(16) of the Regulation (EU) 2018/1725.

5. The Commission shall conduct regular assessments of the components of the CBAM registry and shall analyse the security and integrity of those components and the confidentiality of the data processed within those components.

#### *Article 23*

#### **Data retention period**

1. When processing personal data for the purposes listed in Article 18, the competent authorities and the Commission shall retain the data only for the time necessary to achieve the purpose, and for a maximum of 10 years from the registering of the personal data in the CBAM registry.
2. Notwithstanding paragraph 1, where an appeal has been lodged or where court proceedings have begun involving data stored in the CBAM registry, those data shall be retained until the appeal procedure or court proceedings are terminated and shall only be used for the purpose of the appeal procedure or court proceedings.

## Chapter IV

### *Final provisions*

#### *Article 24*

#### **Entry into force and application**

1. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.
2. It shall apply from 31 December 2024.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Commission  
The President*