

Message 001

Communication from the Commission - TRIS/(2025) 0054

Directive (EU) 2015/1535

Notification: 2025/0010/CZ

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késéseket - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20250054.EN

1. MSG 001 IND 2025 0010 CZ EN 08-01-2025 CZ NOTIF

2. Czechia

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3B. Ministerstvo průmyslu a obchodu
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4. 2025/0010/CZ - SERV60 - Internet services

5. Draft Act on the digital economy and amending certain related acts

6. Intermediary services

7.

8. The draft Act is an adaptation regulation to Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act) and a partial adaptation regulation to Regulation (EU) 2022/868 of the European Parliament and of the Council of 30 May 2022 on European data governance and amending Regulation (EU) 2018/1724 (Data Governance Act).

The notification concerns only Parts Two and Five of the draft Act.

In Part Two (Act No 141/1961 on criminal judicial proceedings [Code of Criminal Procedure], as amended) and Part Five (Act No 146/2002 on the State Agricultural and Food Inspection Authority and amending certain related acts, as amended), the draft Act responds to the provisions contained in Articles 9 and 10 of the Digital Services Act. These articles of the Digital Services Act ensure that competent authorities can achieve the elimination of an unlawful situation or obtain the necessary information through providers of intermediary services.

The basic text of Act No 141/1961 was adopted on 29 November 1961 and came into effect on 1 January 1962. Subsequently, it has been amended many times, most recently by Act No 448/2024, effective 1 January 2025. Neither the original text nor any of its amendments have yet been notified under TRIS. The current version of the Act, effective as of 1 January 2025, has been uploaded to the TRIS database.

The basic text of Act No 146/2002 was adopted on 20 March 2002 and came into effect on 1 January 2003. Subsequently, it was amended several times, most recently by Act No 321/2024, effective 1 January 2025. The amendment to the Act was last notified under number 2024/0265/CZ. The current version of the Act, effective as of 1 January 2025, has been uploaded to the TRIS database.

Keywords: information society service providers, provider of intermediary services, order, measure imposed on provider of intermediary service, order to take action against illegal content, order to provide information, food, psychomodulatory substances, scheduled psychoactive substances

9. Parts Two and Five of the draft Act regulate the issuing of orders to take measures against illegal content and orders to provide information pursuant to Articles 9 and 10 of the Digital Services Act.

Part Two of the draft Act provides for certain derogations from the Digital Services Act, the regulation of which is required by the specific nature of criminal proceedings, as permitted by Article 9(6) and Article 10(6) of the Digital Services Act. The possibility of issuing orders is based on the valid and effective provisions of the Criminal Code.

Furthermore, in Part Five, the draft confers on the State Agricultural and Food Inspection Authority the power to issue orders or measures pursuant to Articles 9 and 10 of the Digital Services Act in the field of food, psychomodulatory substances, and scheduled psychoactive substances. These are commodities whose control is not covered by Act No 87/2023 on market surveillance of products and amending certain related acts.

10. References to basic texts: 2024/0265/CZ

the basic texts were forwarded within an earlier notification:

2024/0265/CZ

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects: No

SPS aspects: No

European Commission

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