



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

Message 301

Communication from the Commission - TRIS/(2025) 0293

Directive (EU) 2015/1535

Notification: 2025/0022/IT

Request for supplementary information from the Commission.

Request for supplementary information - Demande d'informations complémentaires - Žádost o doplňující informace - Ersuchen um ergänzende Informationen - Искане за допълнителна информация - Žádost o dodatečné informace - Anmodning om supplerende oplysninger - Αίτηση συμπληρωματικών πληροφοριών - Solicitud de información complementaria - Lisateabe edastamise palve - Lisätietopyyntö - Zahtjev za dodatne informacije - Kiegészítő információ kérése - Domanda di informazioni complementari - Prašymas pateikti papildomos informacijos - Papildu informācijas pieprasījums - Talba għal tagħrif addizzjonali - Verzoek om aanvullende inlichtingen - Prośba o uzupełnienie informacji - Pedido de informações complementares - Solicitare de informații suplimentare - Žiadosť o ďalšie informácie - Zahteva za dodatne informacije - Begäran om kompletterande upplysningar - Iarraidh ar fhaisnéis fhorlíontach

MSG: 20250293.EN

1. MSG 301 IND 2025 0022 IT EN 22-04-2025 31-01-2025 COM INFOSUP COM 22-04-2025

2. Commission

3. DG GROW/E/3 - N105 04/63

4. 2025/0022/IT - SERV20 - Electronic commerce

5.

6. Within the framework of the notification procedure under Directive (EU) 2015/1535 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, the Italian authorities notified to the Commission on 17 January 2025 the 'ANNUAL DRAFT LAW ON SMALL AND MEDIUM-SIZED ENTERPRISES – CHAPTER IV (Articles 12 to 17) "COMBATING FALSE REVIEWS"' (hereinafter, the "notified draft"). In order to allow the Commission services to complete their analysis under the relevant provisions of EU law, the Italian authorities are kindly invited to reply to the following request for supplementary information:

1. The Italian authorities are kindly invited to clarify whether the provisions in the notified draft are intended to apply to providers of information society services as per the meaning of Directive 2000/31/EC.

In the affirmative, the Commission services would like to receive further information on:

a) whether the notified draft would apply to providers of information society services established in the territory of other Member States than Italy;

b) in the affirmative, how do the Italian authorities intend to comply with the requirements set out in Article 3(4) of Directive 2000/31/EC, in particular in view of the case law C-376/22 of the Court of Justice;

c) what would be the obligations applicable to those service providers resulting from the notified draft, and in particular from its Articles 13, 14 and 15;

d) what would be the system for supervision of compliance and enforcement of the above obligations applicable to information society services, and in particular whether an eventual lack of compliance would result in the imposition of fines or other type of sanctions or penalties.

2. The Commission services note that Article 12 of the notified draft mentions that the definition in Article 3 of Regulation (EU) 2022/2065 shall apply. The Commission services would welcome clarifications on:



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- a) the concrete obligations for providers of online platforms as defined in Regulation (EU) 2022/2065 resulting from the notified draft;
- b) the way in which providers of online platforms would be expected to comply with these obligations in a manner that would be compliant with Articles 6 and 8 of Regulation (EU) 2022/2065.
- c) the intended interplay between the notified draft and Regulation (EU) 2022/2065, in view of its maximum harmonization effect, notably, but not limited to, as regards the requirements of its Articles 14, 16, 17, 20, 34 35 and 45.
- d) the intended interplay between the notified draft and Article 19 of Regulation (EU) 2022/2065.
- e) what would be the system for supervision of compliance and enforcement of the above obligations applicable to providers of online platforms, and in particular whether an eventual lack of compliance would result in the imposition of fines or other type of sanctions or penalties, and the intended interplay with Chapter IV of Regulation (EU) 2022/2065.
- f) whether the codes of conduct mentioned in Article 15 of the notified draft would be binding on all providers of online platforms under the scope of the notified draft, and their intended interplay with Regulation (EU) 2022/2065 and in particular its Article 45.
- e) the objectives pursued by the notified draft and their interplay between the objectives to protect users and consumers as set out in Regulation (EU) 2022/2065.

3. The Italian authorities are kindly requested to clarify whether the notified draft would apply only as regards reviews submitted by users in their capacity as consumers or would also apply to reviews submitted by business users, as per the meaning of Article 2 of Regulation (EU) 2019/1150. In the latter scenario, the Commission services would like to receive further information on the intended interplay between the notified draft and Regulation (EU) 2019/1150.

The Italian authorities are kindly invited to reply by 12 February 2025.

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