Please note that, although every effort has been made to ensure this translation is accurate and consistent, it is for informational purposes only. In case of any dispute or inconsistencies, the Dutch version is authentic.

Procedure of the State Secretary for Economic Affairs and Climate Policy of 13 September 2019, no. WJZ/ 18250526, containing rules on the provision of information and intelligence by the Netherlands Authority for Consumers and Markets and the repeal of the Procedure on the Provision of information by ACM (2019 Procedure on the provision of information by ACM)

The State Secretary for Economic Affairs and Climate Policy;

Considering Section 7, paragraph 3, subparagraph a of the Establishment Act of the Netherlands Authority for Consumers and Markets;

Decides;

Article 1

1. The Netherlands Authority for Consumers and Markets (ACM) is authorized to provide information and intelligence to the following administrative authorities, agencies, and regulators, insofar such is necessary for the proper execution of their tasks:

a. *the Dutch Data Protection Authority (DPA)*: information and intelligence for the purpose of the task laid down in Section 51 of the Dutch Data Protection Act;

b. *the Housing Associations Authority (Aw):* information and intelligence for the purpose of the task laid down in Section 61 of the Dutch Housing Act;

c. *the Dutch Tax Administration / Fiscal Intelligence and Investigation Service & Economic Investigation Service (FIOD-ECD)*: information and intelligence for the purpose of tracking down tax-law violations;

d. *the Public Administration Probity Screening Agency (Bureau BIBOB)*: information and intelligence needed for issuing an advisory opinion at the request of ACM within the meaning of Section 9 of the Public Administration Probity Screening Act (Wet BIBOB);

e. *the Financial Supervision Office*: information and intelligence needed for the purposes of

the tasks laid down in Section 110 of the Dutch Notaries Act and in Section 30 of the Law on Judicial Officers;

f. *the Copyright Supervisory Board (CvTA)* within the meaning of Section 2 of the Dutch Act regarding Oversight of Collective Management Organizations for Copyrights and Neighboring Rights: information and intelligence for the purpose of its tasks laid down in that section;

g. *the Dutch Media Authority (CvdM)*: information and intelligence for the purpose of the task laid down in Section 7.1 of the Dutch Media Act;

h. *the Dutch Health and Youth Care Inspectorate (IGJ)*: information and intelligence for the purpose of enforcement of compliance with Sections 82 through 96 of the Dutch Medicines Act;

i. *the Human Environment and Transport Inspectorate, Intelligence and Investigation Service (ILT/IOD)*: information and intelligence for the purposes of the tasks laid down in Section 3 of the Dutch Act on Special Investigative Services;

j. *the Inspectorate SZW (Social Affairs and Employment)*: information and intelligence for the purpose of enforcement of compliance with the laws and regulations concerning working conditions, the labor market, labor relationships, and the social security system;

k. *the Inspectorate SZW*, detection department: information and intelligence for the purpose of the task laid down in Section 3 of the Dutch Act on Special Investigative Services;

l. *the Netherlands Gaming Authority*: information and intelligence for the purpose of the task laid down in Section 33b of the Dutch Betting and Gaming Act;

m. *the National Cyber Security Centre*: information and intelligence for the purpose of tracking down and combating cybercrime;

n. *the Dutch central bank DNB*: information and intelligence for the purpose of the task laid down in Section 1:24 of the Financial Supervision Act, Section 151 of the Dutch Pensions Act, and Section 146 of the Occupational Pension Scheme (Mandatory Membership) Act;

o. *the Dutch Healthcare Authority (NZa)*: information and intelligence for the purpose of the task laid down in Section 16 of the Health Care Market Regulation Act;

p. *The Dutch Public Prosecution Service (OM)*: information and intelligence for the

purpose of the task laid down in Section 124 of the Judiciary Organization Act;

q. *the Dutch police*: information and intelligence for the purposes of the task laid down in Section 3 of the 2012 Dutch Police Act;

r. *The Dutch Tax Administration:* information and intelligence for the purpose of enforcement of Dutch tax law, as referred to in Section 2, paragraph 1, subparagraph a of the State Taxes Act;

s. *the National Police Internal Investigations Department*: information and intelligence for the purposes of investigations into government officials or semi-government officials;

t. *The Dutch Authority for the Financial Markets (AFM)*: information and intelligence for the purpose of the task laid down in Section 3.1 of the Dutch Act on Enforcement of Consumer Protection (Whc) and Section 1:25 of the Financial Supervision Act;

u. *the Netherlands Food and Consumer Product Safety Authority (NVWA)*: for the purposes of enforcement of compliance with laws and regulations concerning food safety, product safety, alcohol and tobacco, animal health, animal welfare, fisheries, plants, and agriculture and nature;

v. *the Netherlands Food and Consumer Product Safety Authority (NVWA), Intelligence and Investigation Service*: information and intelligence for the purposes of the task laid down in Section 3 of the Dutch Act on Special Investigative Services.

2. The Netherlands Authority for Consumers and Markets is authorized to provide information and intelligence to individuals or boards, working under the authority of the Minister of Economic Affairs and Climate Policy or the Minister of Infrastructure and Water Management, insofar such is necessary for the proper execution of the powers statutorily granted to them to issue decisions or to carry out acts other than issuing decisions.

Article 2

The Procedure on the provision of information by ACM is repealed.

Article 3

This procedure will enter into force on the day after the publication date of the Dutch Government Gazette in which it will be published.

Article 4

This procedure shall be cited as: 2019 Procedure on the provision of information by ACM.

This procedure shall be published with its explanatory notes in the Dutch Government Gazette.

The Hague, 13 September 2019
The State Secretary for Economic Affairs and Climate Policy,
M.C.G. Keijzer