

Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 (Text with EEA relevance)

CHAPTER VI

**CROSS-BORDER MUTUAL ASSISTANCE**

*Article 22*

**Mutual Assistance**

1 There shall be efficient cooperation and exchange of information among the market surveillance authorities of the Member States, and between market surveillance authorities and the Commission and the relevant Union agencies.

2 When a market surveillance authority is unable to conclude its investigation because of its inability to access certain information, despite having made all appropriate efforts to obtain that information, it may submit a reasoned request to the market surveillance authority of another Member State where access to this information can be enforced. In this case the requested authority shall supply to the applicant authority without delay, and in any event within 30 days, any information that the requested authority considers to be relevant in order to establish whether a product is non-compliant.

3 The requested authority shall undertake appropriate investigations or take any other measures that are appropriate in order to gather the requested information. Where necessary, those investigations shall be carried out with the assistance of other market surveillance authorities.

4 The applicant authority shall remain responsible for any investigation that it has initiated, unless the requested authority agrees to take over responsibility.

5 In duly justified cases, a requested authority may refuse to comply with a request for information under paragraph 2 where:

- a the applicant authority has not sufficiently substantiated that the requested information is necessary in order to establish non-compliance;
- b the requested authority demonstrates reasonable grounds showing that complying with the request would substantially impair the execution of its own activities.

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EU) 2019/1020 of the European Parliament and of the Council, Article 22.