



2016/0403(COD)

1.12.2017

AMENDMENTS

58 - 180

Draft report

Anneleen Van Bossuyt

Regulation of the European Parliament and of the Council introducing a European services e-card and related administrative facilities

Proposal for a regulation

(COM(2016)0824 – C8-0014/2017 – 2016/0403(COD))

Amendment 58
Pascal Durand

Proposal for a regulation

—

Proposal for rejection

***The European Parliament rejects the
Commission proposal.***

Or. fr

Justification

The legislative proposal could undermine the ability of the public authorities to ensure, by means of suitable monitoring and surveillance measures, that service providers are meeting the conditions governing their activities set by the host Member State. For this reason, it does not have any added value over the existing rules.

Amendment 59
Mylène Troszczynski

Proposal for a regulation

—

Proposal for rejection

***The European Parliament rejects the
Commission proposal.***

Or. fr

Amendment 60
Philippe Juvin

Proposal for a regulation

—

Proposal for rejection

The European Parliament rejects the

Commission proposal.

Or. fr

Amendment 61

Liisa Jaakonsaari, Virginie Rozière, Gianni Pittella, Udo Bullmann, Nicola Danti, Evelyne Gebhardt

Proposal for a regulation

—

Proposal for rejection

The European Parliament rejects the Commission proposal.

Or. en

Justification

The Commission E-Card proposal does not solve the problems companies face when going cross-border and does not facilitate the functioning of the internal market. Instead, it bears many dangers and overlaps with existing tools. The card would risk the introduction of the country of origin principle and create additional administrative structures, while not addressing the issues companies, especially SMEs encounter, i.e. questions of insurance. Thus, the European Parliament should reject the proposal.

Amendment 62

Dennis de Jong

Proposal for a regulation

—

Proposal for rejection

The European Parliament rejects the Commission proposal.

Or. en

Amendment 63

Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) Directive 2006/123/EC requires Member States to put in place and keep constantly updated Points of Single Contacts where a service provider wishing to establish or to provide services can find all relevant information about requirements to be complied with and e-procedures in respect of all formalities, authorisations and notifications to go through. However, costly information challenges and difficulties complying with national procedures at a distance remain to date for service providers, namely for sector-related requirements. Cooperation between the administrations of different Member States should in principle take place via the Internal Market Information System (IMI), an IT-platform offered for cross-border exchange of information and mutual assistance between authorities in different Member States under that Directive. Despite the fact that authorities sometimes have doubts with regard to the legal establishment of a provider in another Member State, the possibilities for cooperation currently provided in IMI are not exploited to their full potential.

Amendment

(3) Directive 2006/123/EC requires Member States to put in place and keep constantly updated Points of Single Contacts where a service provider wishing to establish or to provide services can find all relevant information about requirements to be complied with and e-procedures in respect of all formalities, authorisations and notifications to go through. However, costly information challenges and difficulties complying with national procedures at a distance remain to date for service providers, namely for sector-related requirements. Cooperation between the administrations of different Member States should in principle take place via ***a more complex and sophisticated version of*** the Internal Market Information System (IMI), an IT-platform offered for cross-border exchange of information and mutual assistance between authorities in different Member States under that Directive. Despite the fact that authorities sometimes have doubts with regard to the legal establishment of a provider in another Member State, the possibilities for cooperation currently provided in IMI are not exploited to their full potential. ***To make this happen, the IMI system should be implemented with a public interface for service providers, interconnections with other relevant systems, a back-office function for national authorities, and a better system for data matching, data mining and data processing so that the authorities are able to carry out checks in real time and thereby limit the proliferation of fraudulent practices and letterbox companies.***

Or. it

Justification

Obviously this system, once up and running, can only operate properly if EU countries all have the same high level of digitisation. The IMI system's digital platform will need to be more complex and sophisticated. The authorities must be able to carry out checks in real time so as to prevent fraudulent practices and letterbox companies. The e-card will not be able to operate fully unless this system is in place.

Amendment 64 Andreas Schwab

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) Directive 2006/123/EC requires Member States to put in place and keep constantly updated Points of Single Contacts where a service provider wishing to establish or to provide services can find all relevant information about requirements to be complied with and e-procedures in respect of all formalities, authorisations and notifications to go through. However, costly information challenges and difficulties complying with national procedures at a distance remain to date for service providers, namely for sector-related requirements. Cooperation between the administrations of different Member States should in principle take place via the Internal Market Information System (IMI), an IT-platform offered for cross-border exchange of information and mutual assistance between authorities in different Member States under that Directive. Despite the fact that authorities sometimes have doubts with regard to the legal establishment of a provider in another Member State, the possibilities for cooperation currently provided in IMI are not exploited to their full potential.

Amendment

(3) Directive 2006/123/EC requires Member States to put in place and keep constantly updated Points of Single Contacts where a service provider wishing to establish or to provide services can find all relevant information about requirements to be complied with and e-procedures in respect of all formalities, authorisations and notifications to go through. However, costly information challenges and difficulties complying with national procedures **and laws** at a distance remain to date for service providers, namely for sector-related requirements, ***in relation to any liability insurance, for example. Care should therefore be taken to ensure that points of single contact have the necessary information and that details are given of the service offered by providers.*** Cooperation between the administrations of different Member States should in principle take place via the Internal Market Information System (IMI), an IT-platform offered for cross-border exchange of information and mutual assistance between authorities in different Member States under that Directive. Despite the fact that authorities sometimes have doubts with regard to the legal establishment of a provider in another

Member State, the possibilities for cooperation currently provided in IMI are not exploited to their full potential.

Or. de

Amendment 65
Philippe Juvin

Proposal for a regulation
Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) Recalls that the internal market must be based on reciprocal trust among the Member States. To this end, and in order to ensure the authenticity of the information and documents required during the procedure for issuing the services e-card, the host Member State must be able to verify their validity in all circumstances.

Or. fr

Amendment 66
Andreas Schwab

Proposal for a regulation
Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) The host Member State should be able to ask the home Member State to verify the validity of documents in case of reasonable doubt.

Or. de

Amendment 67

Mylène Troszczynski

Proposal for a regulation
Recital 4

Text proposed by the Commission

Amendment

(4) *Requirements remain in place which make expansion of service providers' operations across the internal market burdensome and unappealing, such as multiple and disparate authorisation schemes before different authorities and, which, regarding establishment, fail to achieve mutual recognition of conditions previously complied with in other Member States or, regarding temporary cross-border provision of services apply disproportionate or unjustified restrictions. As a consequence, service providers face multiple and disproportionate compliance costs when going cross-border.*

deleted

Or. fr

Amendment 68
Lara Comi, Antonio López-Istúriz White

Proposal for a regulation
Recital 4

Text proposed by the Commission

Amendment

(4) Requirements remain in place which make expansion of service providers' operations across the internal market burdensome and unappealing, such as multiple and disparate authorisation schemes before different authorities and, which, regarding establishment, fail to achieve mutual recognition of conditions previously complied with in other Member States or, regarding temporary cross-border provision of services apply

(4) ***The*** requirements remain in place which make expansion of service providers' operations across the internal market burdensome and unappealing, such as multiple and disparate authorisation schemes before different authorities and, which, regarding establishment, fail to achieve mutual recognition of conditions previously complied with in other Member States or, regarding temporary cross-border provision of services apply

disproportionate or unjustified restrictions.
As a consequence, service providers face multiple and disproportionate compliance costs when going cross-border.

disproportionate or unjustified restrictions.
Furthermore, self-employed workers providing cross-border services who are required to have a specific professional qualification come up against barriers in respect of recognition of their professional qualification. As a consequence, service providers face multiple and disproportionate compliance costs when going cross-border.

Or. it

Amendment 69
Andreas Schwab

Proposal for a regulation
Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) The European services e-card should not legitimise unreasonable requirements that Member States should already have withdrawn in compliance with Directive 2006/123/EC or that are in breach of Directive 96/71/EC or Directive 2014/67/EU.

Or. de

Amendment 70
Philippe Juvin

Proposal for a regulation
Recital 6

Text proposed by the Commission

Amendment

(6) Cross-border trade and cross-border investment in certain business ***and construction*** services are particularly low showing a potential for better integration of services markets with significant negative

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repercussions for the remaining part of the economy. This underperformance leads to situations where the potential for more growth and jobs in the Single Market has not been fully exploited.

remaining part of the economy. This underperformance leads to situations where the potential for more growth and jobs in the Single Market has not been fully exploited.

Or. fr

Amendment 71

Anna Maria Corazza Bildt, Dariusz Rosati, Cristian-Silviu Buşoi, Mihai Țurcanu, Róza Gräfin von Thun und Hohenstein, Ivan Štefanec

Proposal for a regulation Recital 6

Text proposed by the Commission

(6) Cross-border trade and cross-border investment in certain ***business and*** construction services are particularly low showing a potential for better integration of services markets with significant negative repercussions for the remaining part of the economy. This underperformance leads to situations where the potential for more growth and jobs in the Single Market has not been fully exploited.

Amendment

(6) Cross-border trade and cross-border investment in certain construction ***and business*** services are particularly low showing a potential for better integration of services markets with significant negative repercussions for the remaining part of the economy. This underperformance leads to situations where the potential for more growth and jobs in the Single Market has not been fully exploited.

Or. en

Amendment 72

Mylène Troszczynski

Proposal for a regulation Recital 7

Text proposed by the Commission

(7) ***Addressing remaining obstacles to more cross-border activities in services will help to strengthen competition, resulting in more choice and better prices for consumers as well as more competitive services sectors creating new jobs,***

Amendment

deleted

promoting productivity and ensuring a more attractive climate for investment and innovation.

Or. fr

Amendment 73
Mylène Troszczynski

Proposal for a regulation
Recital 8

Text proposed by the Commission

Amendment

(8) This Regulation aims to facilitate the freedom of establishment and the free movement of services within the single market in areas already covered by Directive 2006/123/EC through the adoption of further measures on approximation of provisions which have as their object the establishment and functioning of the internal market. It should be based on Article 114 of the TFUE. *deleted*

Or. fr

Amendment 74
Mylène Troszczynski

Proposal for a regulation
Recital 9

Text proposed by the Commission

Amendment

(9) In view of this, the present Regulation introduces a European services e-card which should facilitate certain service providers to expand service provision across internal market borders, either in the form of temporary provision of services or via secondary establishment through branches, agencies or offices. *deleted*

Amendment 75

Lara Comi, Antonio López-Istúriz White

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) In so doing, this Regulation specifically targets business and construction service sectors included in scope of Directive ...[ESC Directive]... which face some of the most stringent regulatory and administrative barriers to cross-border expansion and consequently have an unexploited potential for internal market integration.

Amendment

(10) In so doing, this Regulation specifically targets business and construction service sectors included in scope of Directive ...[ESC Directive]... which face some of the most stringent regulatory and administrative barriers to cross-border expansion and consequently have an unexploited potential for internal market integration. ***The e-card procedure will apply only to undertakings that supply services and will exclude self-employed workers providing services on a temporary basis, who must therefore be subject to recognition of their professional qualifications under Directive 2005/36/EC of the European Parliament and of the Council.***

Amendment 76

Lambert van Nistelrooij

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) In so doing, this Regulation specifically targets business and construction service sectors included in scope of Directive ...[ESC Directive]... which face some of the most stringent regulatory and administrative barriers to cross-border expansion and consequently

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(10) In so doing, this Regulation specifically targets business and construction service sectors included in scope of Directive ...[ESC Directive]... which face some of the most stringent regulatory and administrative barriers to cross-border expansion and consequently

have an unexploited potential for internal market integration.

have an unexploited potential for internal market integration. ***The Regulation will not apply to the construction industry for the first two years.***

Or. nl

Amendment 77

Anna Maria Corazza Bildt, Dariusz Rosati, Cristian-Silviu Buşoi, Mihai Țurcanu, Róza Gräfin von Thun und Hohenstein, Ivan Štefanec

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) In so doing, this Regulation specifically targets ***business and*** construction service sectors included in scope of Directive ...[ESC Directive]... which face some of the most stringent regulatory and administrative barriers to cross-border expansion and consequently have an unexploited potential for internal market integration.

Amendment

(10) In so doing, this Regulation specifically targets construction ***and business*** service sectors included in scope of Directive ...[ESC Directive]... which face some of the most stringent regulatory and administrative barriers to cross-border expansion and consequently have an unexploited potential for internal market integration.

Or. en

Amendment 78

Lara Comi, Antonio López-Istúriz White

Proposal for a regulation

Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) The e-card procedure will apply only to undertakings that supply services, while self-employed workers providing services on a temporary basis will be excluded from the scope of the Directive and must therefore be subject to recognition of their professional qualifications under Directive 2005/36/EC

Amendment 79

Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) For reasons of coherence, possible conflicts between the present Regulation and other EU acts governing specific aspects of access or exercise of a service activity in a specific sector should be solved as provided for in Article 3 of Directive 2006/123/EC for conflicts between that Directive and such acts, with the application of those other acts. As a result, the provisions in the present Regulation cannot be relied upon in order to justify prior authorisation schemes, prior notification schemes or establishment requirements which are prohibited by other EU acts governing specific aspects of access or exercise of a service activity in a specific sector such as Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000¹⁹. As a further result, this Regulation does in no way affect the obligations service providers should respect in accordance with Directive 96/71/EC of the European Parliament and of the Council²⁰ and Directive 2014/67/EU of the European Parliament and of the Council²¹.

¹⁹ Directive 2000/31/EC of the European

Amendment

(12) For reasons of coherence, possible conflicts between the present Regulation and other EU acts governing specific aspects of access or exercise of a service activity in a specific sector should be solved as provided for in Article 3 of Directive 2006/123/EC for conflicts between that Directive and such acts, with the application of those other acts. As a result, the provisions in the present Regulation cannot be relied upon in order to justify prior authorisation schemes, prior notification schemes or establishment requirements which are prohibited by other EU acts governing specific aspects of access or exercise of a service activity in a specific sector such as Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000¹⁹. As a further result, this Regulation does in no way affect the obligations service providers should respect in accordance with Directive 96/71/EC of the European Parliament and of the Council²⁰ and Directive 2014/67/EU of the European Parliament and of the Council²¹, ***as well as the obligations laid down in Directives 2014/23/EU and 2014/25/EU and the procedures contained in the European Single Procurement Document (ESPD).***

¹⁹ Directive 2000/31/EC of the European

Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce in the internal market (OJ L178, 17.7.2000, p. 1)

²⁰ Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJ L 18, 21.1.1997, p. 1)

²¹ Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation') (OJ L 159, 28.5.2014, p. 11)

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²⁰ Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJ L 18, 21.1.1997, p. 1)

²¹ Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation') (OJ L 159, 28.5.2014, p. 11)

Or. it

Justification

It is essential to clarify that this directive does not affect the rules on public procurement.

Amendment 80 **Philippe Juvin**

Proposal for a regulation **Recital 12**

Text proposed by the Commission

(12) For reasons of coherence, possible conflicts between the present Regulation and other EU acts governing specific aspects of access or exercise of a service activity in a specific sector should be solved as provided for in Article 3 of Directive 2006/123/EC for conflicts between that Directive and such acts, with the application of those other acts. As a result, the provisions in the present

Amendment

(12) For reasons of coherence, possible conflicts between the present Regulation and other EU acts governing specific aspects of access or exercise of a service activity in a specific sector should be solved as provided for in Article 3 of Directive 2006/123/EC for conflicts between that Directive and such acts, with the application of those other acts. As a result, the provisions in the present

Regulation cannot be relied upon in order to justify prior authorisation schemes, prior notification schemes or establishment requirements which are prohibited by other EU acts governing specific aspects of access or exercise of a service activity in a specific sector such as Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000¹⁹. As a further result, this Regulation does in no way affect the obligations service providers should respect in accordance with Directive 96/71/EC of the European Parliament and of the Council²⁰ and Directive 2014/67/EU of the European Parliament and of the Council²¹.

¹⁹ Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce in the internal market (OJ L178, 17.7.2000, p. 1)

²⁰ Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJ L 18, 21.1.1997, p. 1)

²¹ Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation') (OJ L 159, 28.5.2014, p. 11)

Regulation cannot be relied upon in order to justify prior authorisation schemes, prior notification schemes or establishment requirements which are prohibited by other EU acts governing specific aspects of access or exercise of a service activity in a specific sector such as Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000¹⁹. As a further result, this Regulation does in no way affect the obligations service providers should respect in accordance with Directive 96/71/EC of the European Parliament and of the Council²⁰ and Directive 2014/67/EU of the European Parliament and of the Council²¹, ***as well as EU Regulations 883/2004/EC and 2009/987/EC on the coordination of social security systems***

¹⁹ Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce in the internal market (OJ L178, 17.7.2000, p. 1)

²⁰ Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJ L 18, 21.1.1997, p. 1)

²¹ Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation') (OJ L 159, 28.5.2014, p. 11)

Or. fr

Amendment 81
Mylène Troszczynski

Proposal for a regulation

Recital 14

Text proposed by the Commission

Amendment

(14) *The European services e-card should be fully electronic, rely almost exclusively on data provided by reliable sources, limit the use of documents to the minimum necessary and allow for multilingual processing to avoid translation costs. In order to make the procedure fully electronic and allow for administrative cooperation between home and host Member States. The Internal Market Information system set up by Regulation (EU) No 1024/2012 of the European Parliament and of the Council²² should be used under this Regulation. A specific electronic platform should be developed for the purpose of issuing, updating, suspending, revoking or cancelling European services e-cards, as well as to make valid European services e-cards electronically available to their holders and to competent authorities.*

²² Regulation (EU) No 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC (‘the IMI Regulation’) (OJ L 316, 14.11.2012, p. 1)

Or. fr

Amendment 82
Mylène Troszczynski

Proposal for a regulation
Recital 15

Text proposed by the Commission

Amendment

(15) *In order to submit an application for a European services e-card, a harmonised multilingual form should be made available ensuring that the elements necessary for identification of the provider and of the services for which the e-card is requested, as well as for the assessment of specific requirements applicable to the services at stake, such as those regarding proof of its establishment in the home Member State, good repute or insurance coverage, are included and thus made available to coordinating authorities in both home and host Member States.* **deleted**

Or. fr

Amendment 83
Mylène Troszczynski

Proposal for a regulation
Recital 16

Text proposed by the Commission

Amendment

(16) *The power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to specify the details of the information to be contained in the standard application form and the documents to be included in the application as supporting evidence. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In* **deleted**

particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. fr

Amendment 84

Lara Comi, Antonio López-Istúriz White

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) The power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to specify the details of the information to be contained in the standard application form and the documents to be included in the application as supporting evidence. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, ***including at expert level***, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment

(16) The power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to specify the details of the information to be contained in the standard application form and the documents to be included in the application as supporting evidence. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work ***with the social partners, professional and business organisations and experts***, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. it

Justification

In view of their representative role in communication between the authorities, professional people, customers and members of the public, it is appropriate that professional organisations should be involved more actively in the consultation process.

Amendment 85

Lara Comi, Antonio López-Istúriz White

Proposal for a regulation

Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) Those consultations should in particular involve stakeholders from the sectors which fall under the scope of this Regulation, including professional and sectoral organisations and social partners in the services sector.

Or. it

Amendment 86

Mylène Troszczynski

Proposal for a regulation

Recital 17

Text proposed by the Commission

Amendment

(17) During the implementation of this Regulation, Member States should inform and update the Commission of procedures imposed under national law on incoming cross-border providers wishing to provide services temporarily or through a branch, agency or office, including the information and documents to which those procedures pertain, to allow for the preparation of application forms. In order to ensure uniform implementation concerning the necessary information to be provided for the application of the European service e-card, implementing

deleted

powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council²³.

²³ *Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13)*

Or. fr

Amendment 87
Mylène Troszczyński

Proposal for a regulation
Recital 18

Text proposed by the Commission

Amendment

(18) Description of the terms of coverage of a mandatory or voluntary insurance included in written contracts might be difficult to find. Insurance distributors, as well as bodies appointed by a Member State to provide compulsory insurance, should therefore provide a description of the core elements of coverage to their client in the format of an insurance certificate. This certificate should be annexed to the application form. In order to ensure uniform implementation of this part of the Regulation, implementing powers should be conferred on the Commission to adopt a harmonised format for the certificates. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

deleted

Amendment 88
Andreas Schwab

Proposal for a regulation
Recital 18

Text proposed by the Commission

(18) Description of the terms of coverage of a mandatory or voluntary insurance included in written contracts might be difficult to find. Insurance distributors, as well as bodies appointed by a Member State to provide compulsory insurance, should therefore provide a description of the core elements of coverage to their client in the format of an insurance certificate. ***This certificate should be annexed to the application form. In order to ensure uniform implementation of this part of the Regulation, implementing powers should be conferred on the Commission to adopt a harmonised format for the certificates. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.***

Amendment

(18) Description of the terms of coverage of a mandatory or voluntary insurance included in written contracts might be difficult to find. Insurance distributors, as well as bodies appointed by a Member State to provide compulsory insurance, should therefore provide a description of the core elements of coverage to their client in the format of an insurance certificate.

Amendment 89
Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation
Recital 18

Text proposed by the Commission

(18) Description of the terms of coverage of a mandatory or voluntary insurance included in written contracts might be difficult to find. Insurance

Amendment

(18) Description of the terms of coverage of a mandatory or voluntary insurance included in written contracts might be difficult to find. Insurance

distributors, as well as bodies appointed by a Member State to provide compulsory insurance, should therefore provide a description of the core elements of coverage to their client in the format of an insurance certificate. This certificate should be annexed to the application form. In order to ensure uniform implementation of this part of the Regulation, implementing powers should be conferred on the Commission to adopt a harmonised format for the certificates. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

companies, as well as bodies appointed by a Member State to provide compulsory insurance, should therefore provide a description of the core elements of coverage to their client in the format of an insurance certificate. This certificate should be annexed to the application form. In order to ensure uniform implementation of this part of the Regulation, implementing powers should be conferred on the Commission to adopt a harmonised format for the certificates. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

Or. it

Justification

The source best placed to provide such information is the insurance company, not an intermediary acting on its behalf.

Amendment 90 **Andreas Schwab**

Proposal for a regulation **Recital 19**

Text proposed by the Commission

Amendment

(19) Holders of a European services e-card may want to second staff into the territory of the host Member State. When doing so, service providers may be subject to requirements, such as prior declarations addressed to the host Member State, necessary for the protection of posted workers. The European Services e-card will in no way affect the content of such declarations and the responsibilities by the host Member State in that regard.

deleted

Or. de

Amendment 91

Lara Comi, Antonio López-Istúriz White

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) Holders of a European services e-card may want to second staff into the territory of the host Member State. When doing so, service providers may be subject to requirements, such as prior declarations addressed to the host Member State, necessary for the protection of posted workers. The European Services e-card will in no way affect the content of such declarations and the responsibilities by the host Member State in that regard.

Amendment

(19) Holders of a European services e-card may want to second staff into the territory of the host Member State. When doing so, service providers may be subject to requirements, such as prior declarations addressed to the host Member State, necessary for the protection of posted workers ***or their registration with an appropriate professional organisation to be able to provide their services.*** The European Services e-card will in no way affect the content of such declarations and the responsibilities by the host Member State in that regard ***or the obligations arising in the host Member State to be able to provide services.***

Or. it

Amendment 92

Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) Holders of a European services e-card may want to second staff into the territory of the host Member State. When doing so, service providers may be subject to requirements, such as prior declarations addressed to the host Member State, necessary for the protection of posted workers. The European Services e-card will in no way affect the content of such

Amendment

(19) ***This Regulation is without prejudice to Directive 2014/67/EU of the European Parliament and of the Council on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information***

declarations and the responsibilities by the host Member State in that regard.

System. Therefore, holders of a European services e-card may want to second staff into the territory of the host Member State. When doing so, service providers may be subject to requirements, such as prior declarations addressed to the host Member State, necessary for the protection of posted workers. The European Services e-card will in no way affect the content of such declarations and the responsibilities by the host Member State in that regard.

Or. it

Justification

It is essential to clarify that this directive does not affect the rules on the posting of workers.

Amendment 93 Andreas Schwab

Proposal for a regulation Recital 21

Text proposed by the Commission

Amendment

(21) As regards the prior declaration that may be required under Article 9 of Directive 2014/67/EU of the European Parliament and of the Council²⁵, the electronic platform connected to IMI should direct holders of a European services e-card to electronic national procedures put in place in the host Member State where the workers will be posted, wherever such national procedures allow for the electronic submission of the above-mentioned prior declaration.

deleted

²⁵ Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision

of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation') (OJ L 159, 28.5.2014, p. 11)

Or. de

Amendment 94
Andreas Schwab

Proposal for a regulation
Recital 22

Text proposed by the Commission

Amendment

(22) The electronic platform connected to IMI should be made available by the Commission to those Member States that have previously communicated to the Commission their intention to make use of this possibility. Where Member States decide to allow for the use of IMI for the sending of the prior declaration in relation to workers posted in their territory, holders of a European services e-card shall be able to submit a declaration as referred to in Article 9 of Directive 2014/67/EU directly to the competent authority in the host Member State as defined in Article 2(a) of Directive 2014/67/EU, through the electronic platform connected to IMI. To that end, a host Member State should provide all the elements required in accordance with point a) of paragraph 1 and paragraph 2 of Article 9 of Directive 2014/67/EU as the basis for a multi-lingual form to be submitted for the declaration of posted workers on its territory. The Commission should publish this form in the Official Journal and make it available in the electronic platform connected to IMI. The relevant information with regard to the elements required should be available for the host

deleted

Member State concerned in full compliance with the language requirements set out in Article 9(1)(a) of Directive 2014/67/EU. The experience of these Member States with the use of the electronic platform connected to IMI should be part of the assessment foreseen in the second subparagraph of Article 19 of this Regulation.

Or. de

Amendment 95
Mylène Troszczynski

Proposal for a regulation
Recital 23

Text proposed by the Commission

Amendment

(23) In order to ensure uniform implementation of this Regulation in relation to procedures to issue and update of a European services e-card, as well for formalities regarding secondment of staff and movement of self-employed other than the one referred to in the preceding recital, implementing powers should be conferred on the Commission to adopt rules on electronic processing of those procedures. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

deleted

Or. fr

Amendment 96
Philippe Juvin

Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) In order to ensure uniform implementation of this Regulation in relation to procedures to issue and update *of* a European services e-card, as well for formalities regarding secondment of staff and movement of self-employed other than the one referred to in the preceding recital, implementing powers should be conferred on the Commission to adopt rules on electronic processing of those procedures. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

Amendment

(23) In order to ensure uniform implementation of this Regulation in relation to procedures to issue and update a European services e-card, as well for formalities regarding secondment of staff and movement of self-employed other than the one referred to in the preceding recital, ***and EU Regulations 883/2004/EC and 2009/987/EC on the coordination of social security systems***, implementing powers should be conferred on the Commission to adopt rules on electronic processing of those procedures. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

Or. fr

Amendment 97

Mylène Troszczynski

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) *Procedures for issuing, updating, suspending or revoking a European services e-card should make use of documents only in exceptional circumstances, when more detailed information is absolutely essential. In any case, all of such documents should be used and accepted in simple form.*

Amendment

deleted

Or. fr

Amendment 98

Anna Maria Corazza Bildt, Dariusz Rosati, Cristian-Silviu Buşoi, Mihai Țurcanu, Róza Gräfin von Thun und Hohenstein, Ivan Štefanec

Proposal for a regulation
Recital 25

Text proposed by the Commission

(25) Procedures for issuing, updating, suspending or revoking a European services e-card should make use of documents only in exceptional circumstances, when more detailed information is absolutely essential. In any case, all of such documents should be used **and accepted** in simple form.

Amendment

(25) Procedures for issuing, updating, suspending or revoking a European services e-card should make use of documents only in exceptional circumstances, when more detailed information is absolutely essential. In any case, all of such documents should be used in simple form.

Or. en

Amendment 99
Mylène Troszczynski

Proposal for a regulation
Recital 26

Text proposed by the Commission

(26) *EU law may allow, in the context of formalities for secondment of staff as regulated professionals or movement of self-employed in relation to control of professional qualifications, for documents to be submitted in special form, for example as certified or authenticated documents. Such certification and authentication, once performed in the Member State of original issue of the document in question, should be accepted throughout the EU.*

Amendment

deleted

Or. fr

Amendment 100
Mylène Troszczynski

Proposal for a regulation
Recital 27

Text proposed by the Commission

Amendment

(27) Certified translation of documents should not be required under this Regulation. The electronic platforms dealing with procedures should provide for a technical solution to translate their content. In order to ensure uniform implementation of this part of the Regulation implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council. Rules on translation of documents in the context of posting of workers and application for attestations regarding their social security contributions should not be covered by this Regulation.

deleted

Or. fr

Amendment 101

Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation

Recital 27

Text proposed by the Commission

Amendment

(27) Certified translation of documents ***should*** not be required under this Regulation. The electronic platforms dealing with procedures ***should*** provide for a technical solution to translate their content. In order to ensure uniform implementation of this part of the Regulation implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council. Rules on translation of documents in the context of posting of workers and application for attestations regarding their

(27) Certified translation of documents ***must*** not be required under this Regulation. The electronic platforms dealing with procedures ***must*** provide for a technical solution to translate their content. In order to ensure uniform implementation of this part of the Regulation implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council. Rules on translation of documents in the context of posting of workers and application for attestations regarding their social security

social security contributions should not be covered by this Regulation.

contributions should not be covered by this Regulation.

Or. it

Justification

The electronic platforms connected to the IMI system should without fail be multilingual in order to give added value to the whole procedure.

Amendment 102

Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation

Recital 28

Text proposed by the Commission

(28) Member States are entitled to charge fees *only to the extent of the specific costs borne to carry out the procedure. Costs borne already by the budget of the Union should not give rise to fees charged by Member States. Member States should communicate their fees charged to the Commission through IMI and publish such information.* Given that IMI is in essence offering all necessary facilities, Member States should, inter alia, not charge fees to update, suspend, revoke or cancel a European services e-card. *In order to ensure uniform implementation of the provisions on the payment of fees, implementing powers should be conferred on the Commission to adopt rules on payment modalities and processing. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.*

Amendment

(28) *The European services e-card is a voluntary and entirely free instrument for the service provider.* Member States are *not* entitled to charge fees *for carrying out the procedure.* Given that IMI is in essence offering all necessary facilities, Member States should, inter alia, not charge fees to update, suspend, revoke or cancel a European services e-card.

Or. it

Justification

The added value of the service card should not alter the fact that it is to be provided free of charge. The whole process must be free of charge to the service provider.

Amendment 103
Mylène Troszczynski

Proposal for a regulation
Recital 30

Text proposed by the Commission

Amendment

(30) Service providers obliged to acquire professional liability insurance in Member States where they have not been active often have difficulty demonstrating their claims history regarding cover obtained elsewhere. Claims histories are an essential element to insurance distributors in ascertaining and assessing the risk profile of a potential client. Demonstration is difficult due to poor communication between insurance distributors across internal market borders but also to disparities in describing the track-record of an insured party, even within the same Member State. Insurance distributors and bodies appointed by a Member State to provide compulsory insurance cover should therefore be obliged to issue a statement relating to the third party liability claims which can then be used across borders and even domestically, should a service provider change insurance distributor.

deleted

Or. fr

Amendment 104
Andreas Schwab

Proposal for a regulation
Recital 30

Text proposed by the Commission

Amendment

(30) Service providers obliged to acquire professional liability insurance in

(30) Service providers obliged to acquire professional liability insurance in

Member States where they have not been active often *have difficulty* demonstrating their claims history regarding cover obtained elsewhere. Claims histories are an essential element to insurance distributors in ascertaining and assessing the risk profile of a potential client. Demonstration is difficult due to *poor communication between insurance distributors across internal market borders but also* to disparities in describing the track-record of an insured party, even within the same Member State. Insurance distributors and bodies appointed by a Member State to provide compulsory insurance cover should therefore be obliged to issue a statement relating to the third party liability claims which can then be used across borders and even domestically, should a service provider change insurance distributor.

Member States where they have not been active often *face the challenge of* demonstrating their claims history regarding cover obtained elsewhere. Claims histories are an essential element to insurance distributors in ascertaining and assessing the risk profile of a potential client. Demonstration is difficult due to disparities in describing the track-record of an insured party, even within the same Member State. Insurance distributors and bodies appointed by a Member State to provide compulsory insurance cover should therefore be obliged to issue a statement relating to the third party liability claims which can then be used across borders and even domestically, should a service provider change insurance distributor.

Or. de

Amendment 105

Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation

Recital 30

Text proposed by the Commission

(30) Service providers obliged to acquire professional liability insurance in Member States where they have not been active often have difficulty demonstrating their claims history regarding cover obtained elsewhere. Claims histories are an essential element to insurance *distributors* in ascertaining and assessing the risk profile of a potential client. Demonstration is difficult due to poor communication between insurance *distributors* across internal market borders but also to disparities in describing the track-record of an insured party, even within the same

Amendment

(30) Service providers obliged to acquire professional liability insurance in Member States where they have not been active often have difficulty demonstrating their claims history regarding cover obtained elsewhere. Claims histories are an essential element to insurance *distributors* in ascertaining and assessing the risk profile of a potential client. Demonstration is difficult due to poor communication between insurance *companies* across internal market borders but also to disparities in describing the track-record of an insured party, even within the same

Member State. Insurance *distributers* and bodies appointed by a Member State to provide compulsory insurance cover should therefore be obliged to issue a statement relating to the third party liability claims which can then be used across borders and even domestically, should a service provider change insurance *distributor*.

Member State. Insurance *companies* and bodies appointed by a Member State to provide compulsory insurance cover should therefore be obliged to issue a statement relating to the third party liability claims which can then be used across borders and even domestically, should a service provider change insurance *distributor*.

Or. it

Justification

The source best placed to provide such information is the insurance company, not an intermediary acting on its behalf.

Amendment 106

Andreas Schwab

Proposal for a regulation

Recital 31

Text proposed by the Commission

Amendment

(31) In order to ensure uniform implementation of this Regulation in relation to the presentation of the description of liabilities, implementing powers to adopt rules on the standardised presentation format of that statement should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

deleted

Or. de

Amendment 107

Mylène Troszczynski

Proposal for a regulation

Recital 31

Text proposed by the Commission

Amendment

(31) In order to ensure uniform implementation of this Regulation in relation to the presentation of the description of liabilities, implementing powers to adopt rules on the standardised presentation format of that statement should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

deleted

Or. fr

Amendment 108

Anna Maria Corazza Bildt, Dariusz Rosati, Mihai Țurcanu, Cristian-Silviu Bușoi, Ivan Štefanec

Proposal for a regulation

Recital 31

Text proposed by the Commission

Amendment

(31) In order to ensure uniform implementation of this Regulation in relation to the presentation of the description of liabilities, implementing powers to adopt rules on the *standardised* presentation format of that statement should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

(31) In order to ensure uniform implementation of this Regulation in relation to the presentation of the description of liabilities ***according to Article 11***, implementing powers to adopt rules on the ***standardized*** presentation format of that statement should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

Or. en

Amendment 109

Mylène Troszczynski

Proposal for a regulation

Recital 32

Text proposed by the Commission

Amendment

(32) *A statement relating to claims history should be instrumental in allowing insurance distributors and bodies appointed by a Member State to provide compulsory indemnity insurance to ban discriminatory practices towards cross-border providers of which information is more scarce and difficult to obtain. The same non-discrimination principle should apply to professional organisations who offer group cover to their members or other service providers.* *deleted*

Or. fr

Amendment 110
Andreas Schwab

Proposal for a regulation
Recital 32

Text proposed by the Commission

Amendment

(32) *A statement relating to claims history should be instrumental in allowing insurance distributors and bodies appointed by a Member State to provide compulsory indemnity insurance to ban discriminatory practices towards cross-border providers of which information is more scarce and difficult to obtain. The same non-discrimination principle should apply to professional organisations who offer group cover to their members or other service providers.* *deleted*

Or. de

Amendment 111
Lara Comi, Antonio López-Istúriz White

Proposal for a regulation
Recital 32 a (new)

Text proposed by the Commission

Amendment

(32a) Professional organisations which offer group cover related to professional liability insurance to their members or to service providers under specific conditions must ensure access to such cover, under the same conditions and in a non-discriminatory manner, to service providers from other Member States. Applicants for the Professional Card wishing to access such group cover should, if necessary, require their employees to be registered with the professional organisation or association of the country of destination of their employees, so as, inter alia, to benefit from the lower costs of collective professional policies and the extent of their cover.

Or. it

Amendment 112
Mylène Troszczynski

Proposal for a regulation
Recital 37

Text proposed by the Commission

Amendment

(37) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular, this Regulation, through the introduction of the European services e-card and related administrative facilities and procedures, seeks to promote the rights of establishment and the right to provide services in any Member State, preventing

deleted

any discrimination on grounds of nationality and ensuring impartial, fair and reasonably speed procedure, in accordance with Articles 15, 21 and 41 of the Charter of Fundamental Rights of the European Union, while ensuring full respect of the protection of personal data, including in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council²⁸, and giving due consideration to the risk of abuse of rights provided for respectively in Articles 8 and 54 of that Charter.

²⁸ *Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1)*

Or. fr

Amendment 113
Lara Comi, Antonio López-Istúriz White

Proposal for a regulation
Article 1 – paragraph 1

Text proposed by the Commission

This Regulation introduces a European services e-card and related administrative facilities, which shall be made available throughout the European Union to **providers of** services willing to avail themselves of that e-card.

Amendment

This Regulation introduces a European services e-card and related administrative facilities, which shall be made available throughout the European Union to **undertakings that provide** services **and are** willing to avail themselves of that e-card.

Or. it

Amendment 114

Philippe Juvin

Proposal for a regulation

Article 1 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

This Regulation does not affect the rules on national requirements in place in the host Member States in terms of service provision. Moreover, the Regulation will not infringe EU law in terms of employment conditions, in particular those of posted workers, but also in terms of health, security and environmental protection.

Or. fr

Amendment 115

Anneleen Van Bossuyt, Morten Løkkegaard

Proposal for a regulation

Article 2 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

This Regulation does not affect the matters mentioned in Article 1(2) to (7) of Directive 2006/123/EC.

This Regulation does not affect the matters mentioned in Article 1(2) to (7) of Directive 2006/123/EC. ***It shall not have any impact on the regulatory requirements for the provision of services that are in place at national level, such as rules concerning social protection, consumer rights, health and safety or the environment. It does therefore not introduce the country of origin principle.***

Or. en

Amendment 116

Anna Maria Corazza Bildt, Dariusz Rosati, Lambert van Nistelrooij, Cristian-Silviu Buşoi, Mihai Țurcanu, Róza Gräfin von Thun und Hohenstein, Ivan Štefanec

Proposal for a regulation
Article 2 – paragraph 2 – subparagraph 1

Text proposed by the Commission

This Regulation does not affect the matters mentioned in Article 1(2) to (7) of Directive 2006/123/EC.

Amendment

This Regulation does not affect the matters mentioned in Article 1(2) to (7) of Directive 2006/123/EC. ***It shall not have any impact on the regulatory requirements for the provision of services that are in place at national level, such as rules concerning social protection, consumer rights, health and safety or the environment. It does therefore not introduce the country of origin principle.***

Or. en

Amendment 117
Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation
Article 2 – paragraph 3 – subparagraph 2

Text proposed by the Commission

This Regulation, in particular its Chapter III, shall be without prejudice to the rights of workers, the obligations of service providers and related controls in Member States laid down in Directives 96/71/EC and 2014/67/EU.

Amendment

This Regulation, in particular its Chapter III, shall be without prejudice to the rights of workers, the obligations of service providers and related controls in Member States laid down in Directives 96/71/EC and 2014/67/EU ***and shall not affect in any way the right of Member States to verify whether a company is established in their territory. Furthermore, in order to strengthen the rights and obligations laid down in those Directives, the Commission, after the transposition of this Directive, shall take action against cases of social dumping and consider the possibility of tabling a legislative proposal to extend the scope of EU competition law.***

Or. it

Justification

The regulation must not prevent Member States from verifying information relating to the service provider. In addition, combating social dumping should be one of the main objectives of the Commission.

Amendment 118

Philippe Juvin

Proposal for a regulation

Article 2 – paragraph 3 – subparagraph 2

Text proposed by the Commission

This Regulation, in particular its Chapter III, shall be without prejudice to the rights of workers, the obligations of service providers and related controls in Member States laid down in Directives 96/71/EC and 2014/67/EU.

Amendment

This Regulation, in particular its Chapter III, shall be without prejudice to the rights of workers, the obligations of service providers and related controls in Member States laid down in Directives 96/71/EC and 2014/67/EU ***and EU Regulations 883/2004/EC and 987/2009/EC on the coordination of social security systems.***

Or. fr

Amendment 119

Anneleen Van Bossuyt, Morten Løkkegaard

Proposal for a regulation

Article 2 – paragraph 3 – subparagraph 2

Text proposed by the Commission

This Regulation, in particular its Chapter III, shall be without prejudice to the rights of workers, the obligations of service providers and related controls in Member States laid down in Directives 96/71/EC and 2014/67/EU.

Amendment

This Regulation, in particular its Chapter III, shall be without prejudice to the rights of workers, the obligations of service providers and related controls in Member States laid down in Directives 96/71/EC and 2014/67/EU ***concerning the posting of workers, including the posting of workers who are third country nationals.***

Or. en

Justification

This Regulation does not change existing rules on posting of workers, also when they are third country nationals posted from inside the EU.

Amendment 120

Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation

Article 2 – paragraph 3 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

Furthermore, this Regulation shall be without prejudice to Directives 2014/23 and 2014/25 and the procedures contained in the European Single Procurement Document (ESPD).

Or. it

Justification

It is essential to clarify that this directive does not affect the rules on public procurement.

Amendment 121

Lara Comi, Antonio López-Istúriz White

Proposal for a regulation

Article 2 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The e-card procedure shall apply only to undertakings that supply services, while self-employed workers providing services on a temporary basis will be excluded from the scope of the Directive and, in order to be able to provide their services, must be subject to recognition of their professional qualifications under Directive 2005/36/EC of the European Parliament and of the Council.

Or. it

Amendment 122

Anna Maria Corazza Bildt, Dariusz Rosati, Cristian-Silviu Buşoi, Mihai Țurcanu, Róza Gräfin von Thun und Hohenstein, Ivan Štefanec

Proposal for a regulation

Article 3 – paragraph 1 – point 1

Text proposed by the Commission

1. "information on the good repute of a provider" means information as referred to in Article 33 (1) of Directive 2006/123/EC;

Amendment

1. "information on the good repute of a provider" means information as referred to in Article 33 (1) of Directive 2006/123/EC - ***provided that this means only completed procedures;***

Or. en

Amendment 123

Anna Maria Corazza Bildt, Dariusz Rosati, Cristian-Silviu Buşoi, Mihai Țurcanu, Róza Gräfin von Thun und Hohenstein, Ivan Štefanec

Proposal for a regulation

Article 3 – paragraph 1 – point 14

Text proposed by the Commission

14. "home Member State" means the Member State ***to which a provider addressed the application for a European services e-card;***

Amendment

14. "home Member State" means the Member State ***in whose territory the provider of the service concerned is established;***

Or. en

Amendment 124

Anna Maria Corazza Bildt, Dariusz Rosati, Ivan Štefanec, Cristian-Silviu Buşoi, Mihai Țurcanu

Proposal for a regulation

Article 3 – paragraph 1 – point 19 a (new)

Text proposed by the Commission

Amendment

19a. ‘insurance intermediary’ means any natural or legal person, other than an insurance or reinsurance undertaking or their employees and other than an ancillary insurance intermediary, who, for remuneration, takes up or pursues the activity of insurance distribution in accordance with Article 2(1) of Directive EU 2016/97 of the European Parliament and of the Council;

Or. en

Amendment 125

Maria Grapini

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Providers may choose to apply for a European services e-card.

Amendment

Providers may choose to apply for a European services e-card **for one or more countries**.

Or. ro

Amendment 126

Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Any applications for a European services e-card shall be submitted in an electronic platform connected to IMI using a multilingual standard form.

Amendment

Any applications for a European services e-card shall be submitted in an electronic platform connected to IMI using a multilingual standard form, **which shall differ according to the service**.

Or. it

Justification

Customised standard models for each service type would help service providers enter the information and make assessment by Member States easier.

Amendment 127

Lara Comi, Antonio López-Istúriz White

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 3 – point a

Text proposed by the Commission

(a) identification of the provider, including, where applicable, registration numbers in central, commercial or company registers and for tax and social security purposes;

Amendment

(a) identification of the provider, including, where applicable, ***the nationality of the service provider, the country of establishment***, registration numbers in central, commercial or company registers and for tax and social security purposes;

Or. it

Amendment 128

Philippe Juvin

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 3 – point a

Text proposed by the Commission

(a) identification of the provider, including, where applicable, registration numbers in central, commercial or company registers and for tax and social security purposes;

Amendment

(a) identification of the provider, ***the provider's nationality and the country in which its business is based***, including, where applicable, registration numbers in central, commercial or company registers and for tax and social security purposes;

Or. fr

Amendment 129

Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 3 – point a

Text proposed by the Commission

(a) identification of the provider, including, where applicable, registration numbers in central, commercial or company registers and for tax and social security purposes;

Amendment

(a) identification of the provider, including ***the social security number and***, where applicable, registration numbers in central, commercial or company registers and for tax and social security purposes;

Or. it

Justification

The social security number would provide an additional guarantee for purposes of fraud prevention.

Amendment 130

Anna Maria Corazza Bildt, Dariusz Rosati, Cristian-Silviu Buşoi, Mihai Țurcanu, Róza Gräfin von Thun und Hohenstein, Ivan Štefanec

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 3 – point b

Text proposed by the Commission

(b) identification of the service ***activity***, the host Member State, the type of European services e-card envisaged;

Amendment

(b) ***statistical*** identification ***code*** of the service ***activities that the applicant envisages to provide***, the host Member State ***where the applicant intends to provide services***, the type of European services e-card envisaged, ***specifying whether the applicant intends to make use of a reserved title while establishing in the host Member State, as appropriate***;

Or. en

Amendment 131

Anna Maria Corazza Bildt, Dariusz Rosati, Cristian-Silviu Buşoi, Mihai Țurcanu, Róza Gräfin von Thun und Hohenstein, Ivan Štefanec

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(ca) indication whether pre-approval as an economic operator active in public procurement in accordance with Article 64 of Directive 2014/24/EU or Article 46 of Directive 2009/81/EC is envisaged;

Or. en

Amendment 132

Lara Comi, Antonio López-Istúriz White

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 3 – point e

Text proposed by the Commission

Amendment

(e) requirements to which the applicant is subject for the provision of the service in its home Member State, such as qualifications or certifications;

(e) requirements to which the applicant is subject for the provision of the service in its home Member State, such as qualifications or certifications, ***compulsory registration with or membership of a professional organisation;***

Or. it

Amendment 133

Lara Comi, Antonio López-Istúriz White

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 3 – point e a (new)

Text proposed by the Commission

Amendment

(ea) requirements that must be complied with by workers who provide services for outside bodies or individuals and who are employed by the applicant for the card in their home Member State, such as qualifications or certifications, compulsory registration with or membership of a professional

organisation;

Or. it

Justification

Il modo ideale per garantire il controllo della pratica professionale per la migliore difesa dei consumatori nel Paese di destinazione, è grazie all'adesione, o all'appartenenza obbligatoria a un'associazione professionale, quando l'esercizio di una professione è regolamentato nello Stato membro d'origine, in relazione alle attività riservate. In questo modo, è possibile provare l'identità dell'autore dell'opera, di fronte al destinatario e di fronte a terzi, nonché di dimostrare l'identità della persona responsabile e l'abilitazione dell'autore del lavoro professionale.

Amendment 134

Anna Maria Corazza Bildt, Dariusz Rosati, Cristian-Silviu Buşoi, Mihai Țurcanu, Róza Gräfin von Thun und Hohenstein, Ivan Štefanec

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 3 – point g

Text proposed by the Commission

(g) information on any existing professional **indemnity** insurance of the provider in relation to professional liability in the territory of the home Member State, including information on the cover for activities carried out in the territory of other Member States, as appropriate;

Amendment

(g) information on any existing professional **liability** insurance of the provider in relation to professional liability in the territory of the home Member State, including information on the cover for activities carried out in the territory of other Member States, as appropriate;

Or. en

Amendment 135

Lara Comi, Antonio López-Istúriz White

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 3 – point g

Text proposed by the Commission

(g) information on any existing professional indemnity insurance of the provider in relation to professional liability in the territory of the home Member State,

Amendment

(g) information on any existing professional indemnity insurance of the provider in relation to professional liability in the territory of the home Member State,

including information on the cover for activities carried out in the territory of other Member States, *as appropriate*;

including information on the cover for activities carried out in the territory of other Member States, *and its period of validity*;

Or. it

Justification

The e-card is permanent, unless it is revoked or cancelled under Articles 15 and 17 of the proposal. It may create a risk for consumers and citizens, given the open-ended period of validity of the e-card and the fact that Article 17 does not lay down a system for updating the information provided, in addition to which neither the proposal for a directive nor the proposal for a regulation provides for any penalty in the event of fraud.

Amendment 136

Lara Comi, Antonio López-Istúriz White

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 3 – point h a (new)

Text proposed by the Commission

Amendment

(ha) requirements relating to recognition of the professional qualifications necessary in order to provide the service, where applicable;

Or. it

Amendment 137

Mylène Troszczynski

Proposal for a regulation

Article 4 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

The Commission shall specify how the information referred to in points (a) to (h) above is to be presented in the standard form and lay down the technical details of the standard form throughout the European Union, by way of implementing acts. Those implementing acts shall be

deleted

adopted in accordance with the examination referred to in Article 16(2).

Or. fr

Amendment 138

Mylène Troszczynski

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission is empowered to adopt delegated acts in accordance with Article 15 in order to further specify: *deleted*

(a) details of the information elements of the standard form listed to in letters paragraph 1, points (a) to (h), which shall be contained in the standard form;

(b) further documents or categories of documents that are exceptionally required to be included as supporting evidence.;

Or. fr

Amendment 139

Lara Comi, Antonio López-Istúriz White

Proposal for a regulation

Article 4 – paragraph 3 – introductory part

Text proposed by the Commission

Amendment

3. The Commission *is* empowered to adopt delegated acts in accordance with Article 15 in order to *further* specify:

3. The Commission *shall be* empowered to adopt, *after consultation with interested parties, including professional and business organisations*, delegated acts in accordance with Article 15 in order to specify *in greater detail*:

Or. it

Amendment 140
Philippe Juvin

Proposal for a regulation
Article 4 – paragraph 3 – introductory part

Text proposed by the Commission

3. The Commission is empowered to adopt delegated acts in accordance with Article 15 in order to further specify:

Amendment

3. The Commission is empowered to adopt – ***after consulting relevant stakeholders, such as professional organisations*** – delegated acts in accordance with Article 15 in order to further specify:

Or. fr

Amendment 141
Anna Maria Corazza Bildt, Dariusz Rosati, Cristian-Silviu Buşoi, Mihai Țurcanu, Róza Gräfin von Thun und Hohenstein, Ivan Štefanec

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

4. Member States shall provide to the Commission with all information on the procedural steps related to requirements imposed on providers for the provision of services through a branch, agency or office and for temporary cross-border provision of service activities falling under Directive ...[ESC Directive]....., necessary for the development of the standard application forms, describing the information and documents the presentation of which is required under national law of the provider in relation to all applicable requirements, through IMI by [9 months after entry into force of this Regulation] to the extent that the information was not contained in the notification of the requirement itself

Amendment

4. Member States shall provide to the Commission with all information on the procedural steps related to requirements imposed on providers for the provision of services through a branch, agency or office and for temporary cross-border provision of service activities falling under Directive ...[ESC Directive]....., necessary for the development of the standard application forms, describing the information and documents the presentation of which is required under national law of the provider in relation to all applicable requirements, through IMI by [9 months after entry into force of this Regulation] to the extent that the information was not contained in the notification of the requirement itself

already submitted under Articles 15(7) and 39(5) of Directive 2006/123/EC.

already submitted under Articles 15(7) and 39(5) of Directive 2006/123/EC. *The procedural steps mentioned in the preceding subparagraph shall include those regarding registration in the official lists of approved economic operators in accordance with Article 64 of Directive 2014/24/EU and Article 46 of Directive 2009/81/EC, as appropriate.*

Or. en

Amendment 142

Mylène Troszczynski

Proposal for a regulation Article 5

Text proposed by the Commission

Amendment

Article 5

deleted

Insurance certificate

1. Where information on insurance cover is entered into the standard form, in accordance with point (g) of the third subparagraph of Article 4(1), a corresponding insurance certificate shall be attached to the application form.

The insurance distributor or the body appointed by a Member State to provide compulsory insurance shall provide the certificate to the applicant upon request.

The insurance certificate shall contain information about the existence of professional liability insurance for the services concerned, including the territorial scope of such cover in other Member States, the insured risks, the duration, the insured sums per claim and for all claims in a year, and possible exclusions.

2. The Commission may adopt a harmonised format for the insurance certificate as referred to in the second

subparagraph of paragraph 1 by means of an implementing act.

Those implementing acts shall be adopted in accordance with the examination referred to in Article 16(2).

Or. fr

Justification

In view of the diversity of insurance systems and ways of making claims among the Member States, devising a harmonised certificate is an ideal which cannot be attained. Worse, this might negatively impinge on the security of consumers and customers and make it impossible for insurers to estimate risks.

Amendment 143

Anneleen Van Bossuyt, Morten Løkkegaard

Proposal for a regulation

Article 5 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The insurance **distributor** or the body appointed by a Member State to provide compulsory insurance shall provide the certificate to the applicant upon request.

Amendment

The insurance **undertaking** or the body appointed by a Member State to provide compulsory insurance shall provide the certificate to the **insurance intermediary or to the** applicant upon request. **The insurance intermediary shall hand the certificate over to the applicant.**

Or. en

Justification

It is the insurance undertaking that provides / issues a compulsory insurance certificate, and transmits it to the insurance intermediary or to the applicant.

Amendment 144

Anna Maria Corazza Bildt, Dariusz Rosati, Ivan Štefanec, Cristian-Silviu Buşoi, Mihai Turcanu

Proposal for a regulation

Article 5 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The insurance **distributor** or the body appointed by a Member State to provide compulsory insurance shall provide the certificate to the applicant upon request.

Amendment

The insurance **undertaking** or the body appointed by a Member State to provide compulsory insurance shall provide the certificate to the **insurance distributor or to the** applicant upon request. **The insurance intermediary shall hand the certificate over to the applicant.**

Or. en

Amendment 145

Lara Comi, Antonio López-Istúriz White

Proposal for a regulation

Article 5 – paragraph 1 – subparagraph 3

Text proposed by the Commission

The insurance certificate shall contain information about the existence of professional liability insurance for the services concerned, including the territorial scope of such cover in other Member States, the insured risks, the **duration**, the insured sums per claim and for all claims in a year, and possible exclusions.

Amendment

The insurance certificate shall contain information about the existence of professional liability insurance for the services concerned, including the territorial scope of such cover in other Member States, the insured risks, the **period of validity and/or its renewal**, the insured sums per claim and for all claims in a year, and possible exclusions.

Or. it

Amendment 146

Andreas Schwab

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

2. The Commission may adopt a harmonised format for the insurance certificate as referred to in the second subparagraph of paragraph 1 by means of

Amendment

deleted

an implementing act.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16(2).

Or. de

Amendment 147

Mylène Troszczynski

Proposal for a regulation

Article 6 – paragraph 4

Text proposed by the Commission

Amendment

4. *The Commission is empowered to adopt technical rules by means of implementing acts concerning the design of the multilingual form referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 16(2).* **deleted**

Or. fr

Amendment 148

Anna Maria Corazza Bildt, Dariusz Rosati, Cristian-Silviu Buşoi, Mihai Țurcanu, Róża Gräfin von Thun und Hohenstein, Ivan Štefanec

Proposal for a regulation

Article 7 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

Providers who are natural persons and apply for a European services e-card may submit a declaration in advance in relation to their own professional qualifications in an electronic platform connected to IMI under the same conditions as prescribed by paragraph 1 of Article 6 in relation to their workers.

Providers who are natural persons and apply for ***or already hold*** a European services e-card may submit a declaration in advance in relation to their own professional qualifications in an electronic platform connected to IMI under the same conditions as prescribed by paragraph 1 of Article 6 in relation to their workers.

Or. en

Amendment 149

Anna Maria Corazza Bildt, Dariusz Rosati, Cristian-Silviu Buşoi, Mihai Țurcanu, Róza Gräfin von Thun und Hohenstein, Ivan Štefanec

Proposal for a regulation

Article 7 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Regarding declarations in advance in relation to the professional qualifications of the provider, the *attestations* referred to in *points b) and d)* of Article 7(2) of Directive 2005/36/EC shall be replaced by the completed application form for a European services e-card, communicated to the host Member State in accordance with Article 11 of Directive [ESC Directive]....., proving establishment of the provider.

Amendment

Regarding declarations in advance in relation to the professional qualifications of the provider, the *proof of nationality, the details of insurance cover, the attestation* referred to in *point (b)* of Article 7(2) of Directive 2005/36/EC *and the means of proof referred to in point (d) of that Article* shall be replaced by the completed application form for a European services e-card, communicated to the host Member State in accordance with Article 11 of Directive ... [ESC Directive], proving *legal* establishment of the provider.

Or. en

Amendment 150

Mylène Troszczynski

Proposal for a regulation

Article 7 – paragraph 3

Text proposed by the Commission

3. *The Commission may adopt technical rules by means of implementing acts concerning the design of the multilingual form referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 16(2).*

Amendment

deleted

Or. fr

Amendment 151
Mylène Troszczynski

Proposal for a regulation
Article 8 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

*Providers shall have the right to fully
electronic handling and processing of the
procedures for the application, issue and
update of a European services e-card as
well as to fully electronic formalities in
accordance with Articles 6(1), 6(3) and 7.*

deleted

Or. fr

Justification

It would be better to keep part of the handling of files in a non-electronic form, if only for reasons of security.

Amendment 152
Mylène Troszczynski

Proposal for a regulation
Article 8 – paragraph 2

Text proposed by the Commission

Amendment

*2. The Commission shall adopt
technical specifications for the electronic
handling and processing of the
procedures referred to in paragraph 1 by
means of implementing acts, including
measures to ensure the integrity,
confidentiality and accuracy of the
information, as well as the conditions and
the procedures for the holder of a
European services e-card to download
such information, to allow third parties to
access such information and for those
third parties to verify that same
information.*

deleted

*Those implementing acts shall be adopted
in accordance with the examination*

referred to in Article 16(2).

Or. fr

Amendment 153

Maria Grapini

Proposal for a regulation

Article 8 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16(2).

Amendment

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16(2) ***and shall guarantee personal data protection.***

Or. ro

Amendment 154

Mylène Troszczynski

Proposal for a regulation

Article 9 – paragraph 3

Text proposed by the Commission

3. A certified translation shall not be requested for documents used in the context of procedures to issue, update, suspend or revoke a European services e-card or in the context of formalities for secondment of staff and movement of self-employed in accordance with Articles 6 (1) and 7. This shall not affect the right of Member States to require non-certified translations of documents in one of their official languages, in accordance with EU law.

Amendment

deleted

Or. fr

Justification

Given the linguistic and cultural diversity in the EU, it would be risky to rely on the online machine translation system, particularly for documents containing extremely important information. The applicant for an e-card is responsible for providing translations of documents certified in all EU languages, as such documents will be consulted in all the Member States if the card is issued.

Amendment 155

Mylène Troszczyński

Proposal for a regulation

Article 9 – paragraph 4

Text proposed by the Commission

Amendment

4. The Commission shall adopt technical rules for automatic translation of information and documents in the context of procedures to issue, update, suspend or revoke a European services e-card or in the context of formalities for secondment of staff and movement of self-employed in accordance with Articles 6(1) and 7 by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination referred to in Article 16(2). *deleted*

Or. fr

Amendment 156

Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation

Article 10 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

Any fees charged in the context of a procedure to issue a European services e-card shall be *reasonable and proportionate* and shall not exceed the cost directly ensuing from the specific work related to

The procedure to issue a European services e-card shall be ***completely free of charge***.

the procedure.

Or. it

Justification

The added value of the service card should not alter the fact that it is to be provided free of charge. The whole process must be free of charge to the service provider.

Amendment 157

Maria Grapini

Proposal for a regulation

Article 10 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Any fees charged in the context of a procedure to issue a European services e-card shall be reasonable and proportionate and shall not exceed the cost directly ensuing from the specific work related to the procedure.

Amendment

Any fees charged in the context of a procedure to issue a European services e-card shall be reasonable and proportionate and shall not exceed the cost directly ensuing from the specific work related to the procedure ***in order to avoid excessive user costs, especially in the case of microenterprises and SMEs.***

Or. ro

Amendment 158

Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation

Article 10 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Providers shall have the right to be reimbursed of fees paid in advance to either home or host Member State in relation to applications that have not been examined, verified and completed by Member States in accordance with Article 11(1) of Directive ...[ESC Directive]....

Amendment

deleted

Justification

The added value of the service card should not alter the fact that it is to be provided free of charge. The whole process must be free of charge to the service provider.

Amendment 159

Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation

Article 10 – paragraph 1 – subparagraph 3

Text proposed by the Commission

Amendment

No fees shall be charged regarding: ***deleted***

(a) the procedures to update, suspend, revoke or cancel a European services e-card;

(b) the provision of additional information by the e-card holder in accordance with Article 17(4) of...[Directive];

(c) formalities introduced in accordance with Articles 6 (1) and 7 for secondment of staff and movement of self-employed.

Justification

The added value of the service card should not alter the fact that it is to be provided free of charge. The whole process must be free of charge to the service provider.

Amendment 160

Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation

Article 10 – paragraph 2

Text proposed by the Commission

Amendment

2. *Member States shall communicate the fees and payment modalities introduced under this Article to the Commission through IMI by [2 years after entry into force of this Regulation] at the latest and shall publish this information appropriately.* *deleted*

Or. it

Justification

The added value of the service card should not alter the fact that it is to be provided free of charge. The whole process must be free of charge to the service provider.

Amendment 161
Maria Grapini

Proposal for a regulation
Article 10 – paragraph 2

Text proposed by the Commission

2. Member States shall communicate the fees and payment modalities introduced under this Article to the Commission through IMI by [2 *years* after entry into force of this Regulation] at the latest and shall publish this information appropriately.

Amendment

2. Member States shall communicate the fees and payment modalities introduced under this Article to the Commission through IMI by [*1 year* after entry into force of this Regulation] at the latest and shall publish this information appropriately.

Or. ro

Amendment 162
Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation
Article 10 – paragraph 3

Text proposed by the Commission

3. *The Commission shall adopt technical rules regarding payment modalities and processing by means of* *deleted*

Amendment

implementing acts.

Those implementing acts shall be adopted in accordance with the examination referred to in Article 16(2).

Or. it

Justification

The added value of the service card should not alter the fact that it is to be provided free of charge. The whole process must be free of charge to the service provider.

Amendment 163

Mylène Troszczyński

Proposal for a regulation

Article 11

Text proposed by the Commission

Amendment

Article 11

deleted

Statement relating to third party liability claims

1. An insurance distributor shall issue, within 15 days of receiving a request to this effect from the policyholder, a statement concerning the third party liability claims related to his activities covered by the contract of professional liability insurance, during the preceding years of the contractual relationship up to a maximum of 5 years, or to the absence of such claims, describing the liabilities arising from provision of the services in question which were the object of a claim.

2. The Commission may adopt rules on the standardised presentation format of the statement referred to in paragraph 1 by means of implementing acts.

Those implementing acts shall be adopted in accordance with the examination referred to in Article 16(2).

Justification

In view of the diversity of insurance systems and ways of making claims among the Member States, devising a harmonised certificate is an ideal which cannot be attained. Worse, this might negatively impinge on the security of consumers and customers and make it impossible for insurers to estimate risks. In addition, a 5-year maximum limit would prevent a fair estimation of the risk over time.

Amendment 164

Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation

Article 11 – paragraph 1

Text proposed by the Commission

1. An insurance **distributor** shall issue, within 15 days of receiving a request to this effect from the policyholder, a statement concerning the third party liability claims related to his activities covered by the contract of professional liability insurance, during the preceding years of the contractual relationship up to a maximum of 5 years, or to the absence of such claims, describing the liabilities arising from provision of the services in question which were the object of a claim.

Amendment

1. An insurance **company** shall issue, within 15 days of receiving a request to this effect from the policyholder, a statement concerning the third party liability claims related to his activities covered by the contract of professional liability insurance, during the preceding years of the contractual relationship up to a maximum of 5 years, or to the absence of such claims, describing the liabilities arising from provision of the services in question which were the object of a claim.

Or. it

Justification

The source best placed to provide such information is the insurance company, not an intermediary acting on its behalf.

Amendment 165

Andreas Schwab

Proposal for a regulation

Article 11 – paragraph 2

Text proposed by the Commission

Amendment

2. *The Commission may adopt rules on the standardised presentation format of the statement referred to in paragraph 1 by means of implementing acts.* *deleted*

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16(2).

Or. de

Amendment 166

Mylène Troszczyński

Proposal for a regulation

Article 12

Text proposed by the Commission

Amendment

Article 12

deleted

Obligations for insurance distributors

Insurance distributors and bodies appointed by a Member State to provide compulsory insurance shall duly take into account in the acceptance policy and in the calculation of premiums, in a non-discriminatory manner, the experience of the provider as reflected in the claims statement issued in accordance with Article 11, as presented by the provider.

Or. fr

Justification

This obligation violates the rules on the protection of consumers and citizens, as the provision on not discriminating against the insured party on the basis of their country of origin amounts to a rejection of the presence of a risk inherent in cultural differences and hence of the insurer's work. This ideological measure renders insurance insignificant. This kind of proposal has no place in the text.

Amendment 167

Andreas Schwab

**Proposal for a regulation
Article 12**

Text proposed by the Commission

Amendment

Article 12

deleted

Obligations for insurance distributors

Insurance distributors and bodies appointed by a Member State to provide compulsory insurance shall duly take into account in the acceptance policy and in the calculation of premiums, in a non-discriminatory manner, the experience of the provider as reflected in the claims statement issued in accordance with Article 11, as presented by the provider.

Or. de

Amendment 168

Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

**Proposal for a regulation
Article 12 – title**

Text proposed by the Commission

Amendment

Obligations for insurance ***distributors***

Obligations for insurance ***companies***.

Or. it

Justification

The source best placed to provide such information is the insurance company, not an intermediary acting on its behalf.

Amendment 169

Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

**Proposal for a regulation
Article 12 – paragraph 1**

Text proposed by the Commission

Amendment

Insurance *distributors* and bodies appointed by a Member State to provide compulsory insurance shall duly take into account in the acceptance policy and in the calculation of premiums, in a non-discriminatory manner, the experience of the provider as reflected in the claims statement issued in accordance with Article 11, as presented by the provider.

Insurance *companies* and bodies appointed by a Member State to provide compulsory insurance shall duly take into account in the acceptance policy and in the calculation of premiums, in a non-discriminatory manner, the experience of the provider as reflected in the claims statement issued in accordance with Article 11, as presented by the provider.

Or. it

Justification

The source best placed to provide such information is the insurance company, not an intermediary acting on its behalf.

Amendment 170

Mylène Troszczyński

Proposal for a regulation

Article 13

Text proposed by the Commission

Amendment

Article 13

deleted

Obligations for professional organisations

Professional organisations, including competent authorities as defined in points (i) and (ii) of Article 3(18), which offer group cover related to professional liability insurance to their members or to providers of services under specific conditions, shall ensure access to such cover, under the same conditions in a non-discriminatory manner, to providers of services from other Member States which express an interest in benefiting from such group cover.

Or. fr

Amendment 171

Lara Comi, Antonio López-Istúriz White

**Proposal for a regulation
Article 13 – paragraph 1**

Text proposed by the Commission

Professional organisations, including competent authorities as defined in points (i) and (ii) of Article 3(18), which offer group cover related to professional liability insurance to their members or to providers of services under specific conditions, shall ensure access to such cover, under the same conditions in a non-discriminatory manner, to providers of services from other Member States which express an interest in benefiting from such group cover.

Amendment

Professional organisations, including competent authorities as defined in points (i) and (ii) of Article 3(18), which offer group cover related to professional liability insurance to their members or to providers of services under specific conditions, shall ensure access to such cover, under the same conditions in a non-discriminatory manner, to providers of services from other Member States which express an interest in benefiting from such group cover. ***Access to insurance under specific conditions, including for service providers from other Member States, cannot be made available at the expense of the requirement to belong to a professional organisation, if required.***

Or. it

**Amendment 172
Mylène Troszczynski**

**Proposal for a regulation
Article 14 – paragraph 3**

Text proposed by the Commission

3. The Commission shall adopt technical rules for the handling and processing of exchanges of information and mutual assistance referred to in paragraphs 1 and 3 by means of implementing acts. This shall be without prejudice to the functioning of the interconnection systems referred to in paragraph 2 of this Article and their respective technical specifications.

Amendment

deleted

Those implementing acts shall be adopted in accordance with the examination referred to in Article 16(2).

Or. fr

Amendment 173

Anna Maria Corazza Bildt, Dariusz Rosati, Cristian-Silviu Buşoi, Mihai Țurcanu, Róza Gräfin von Thun und Hohenstein, Ivan Štefanec

Proposal for a regulation

Article 15 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with principles laid down in the Interinstitutional Agreement on Better law-making of 13 April 2016.

Or. en

Amendment 174

Maria Grapini

Proposal for a regulation

Article 17 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States shall communicate the identity of the coordinating authorities designated in accordance with paragraph 1 to the Commission by [9 months after entry into force of this Regulation] at the latest and register it in IMI in accordance with Article 5(f) of Regulation (EU) 1024/2012.

2. Member States shall communicate the identity of the coordinating authorities designated in accordance with paragraph 1 to the Commission by [6 months after entry into force of this Regulation] at the latest and register it in IMI in accordance with Article 5(f) of Regulation (EU) 1024/2012.

Or. ro

Amendment 175

Lambert van Nistelrooij

Proposal for a regulation
Article 19 – paragraph 1

Text proposed by the Commission

By **60** months after entry into force of this Regulation and at the latest every **five** years thereafter, the Commission shall carry out an evaluation of this Regulation and submit to the European Parliament and the Council a report on its performance, including an analysis of the impact on administrative burden incurred upon by service providers active across borders. This report shall also include an assessment of any practical experience relevant to cooperation between coordinating authorities. This report shall contain an assessment of the appropriateness of introducing a European services e-card for other service activities. It shall contain an evaluation of Directive[ESC Directive]...in line with its Article 21.

Amendment

By **24** months after entry into force of this Regulation and at the latest every **four** years thereafter, the Commission shall carry out an evaluation of this Regulation and submit to the European Parliament and the Council a report on its performance, including an analysis of the impact on administrative burden incurred upon by service providers active across borders. This report shall also include an assessment of any practical experience relevant to cooperation between coordinating authorities. This report shall contain an assessment of the appropriateness of introducing a European services e-card for other service activities. It shall contain an evaluation of Directive[ESC Directive]...in line with its Article 21.

Or. nl

Amendment 176
Maria Grapini

Proposal for a regulation
Article 19 – paragraph 1

Text proposed by the Commission

By **60** months after entry into force of this Regulation and at the latest every **five** years thereafter, the Commission shall carry out an evaluation of this Regulation and submit to the European Parliament and the Council a report on its performance, including an analysis of the impact on administrative burden incurred upon by service providers active across borders. This report shall also include an

Amendment

By **30** months after entry into force of this Regulation and at the latest every **four** years thereafter, the Commission shall carry out an evaluation of this Regulation and submit to the European Parliament and the Council a report on its performance, including an analysis of the impact on administrative burden incurred upon by service providers active across borders. This report shall also include an

assessment of any practical experience relevant to cooperation between coordinating authorities. This report shall contain an assessment of the appropriateness of introducing a European services e-card for other service activities. It shall contain an evaluation of Directive[ESC Directive]...in line with its Article 21.

assessment of any practical experience relevant to cooperation between coordinating authorities. This report shall contain an assessment of the appropriateness of introducing a European services e-card for other service activities. It shall contain an evaluation of Directive[ESC Directive]...in line with its Article 21.

Or. ro

Amendment 177

Marco Zullo, David Borrelli, Dario Tamburrano, Laura Agea

Proposal for a regulation Article 19 – paragraph 1

Text proposed by the Commission

By **60** months after entry into force of this Regulation and at the latest every **five** years thereafter, the Commission shall carry out an evaluation of this Regulation and submit to the European Parliament and the Council a report on its performance, including an analysis of the impact on administrative burden incurred upon by service providers active across borders. This report shall also include an assessment of any practical experience relevant to cooperation between coordinating authorities. This report shall contain an assessment of the appropriateness of introducing a European services e-card for other service activities. It shall contain an evaluation of Directive[ESC Directive]...in line with its Article 21.

Amendment

By **36** months after entry into force of this Regulation and at the latest every **three** years thereafter, the Commission shall carry out an evaluation of this Regulation and submit to the European Parliament and the Council a report on its performance, including an analysis of the impact on administrative burden incurred upon by service providers active across borders. This report shall also include an assessment of any practical experience relevant to cooperation between coordinating authorities. This report shall contain an assessment of the appropriateness of introducing a European services e-card for other service activities. It shall contain an evaluation of Directive[ESC Directive]...in line with its Article 21.

Or. it

Justification

Given the improvements necessary to ensure proper implementation of e-card services, the evaluation should be done in a shorter time.

Amendment 178

Anna Maria Corazza Bildt, Dariusz Rosati, Cristian-Silviu Buşoi, Mihai Țurcanu, Róza Gräfin von Thun und Hohenstein, Ivan Štefanec

**Proposal for a regulation
Article 19 – paragraph 1**

Text proposed by the Commission

By **60** months after entry into force of this Regulation and at the latest every five years thereafter, the Commission shall carry out an evaluation of this Regulation and submit to the European Parliament and the Council a report on its performance, including an analysis of the impact on administrative burden incurred upon by service providers active across borders. This report shall also include an assessment of any practical experience relevant to cooperation between coordinating authorities. This report shall contain an assessment of the appropriateness of introducing a European services e-card for other service activities. It shall contain an evaluation of Directive[ESC Directive]...in line with its Article 21.

Amendment

By **36** months after entry into force of this Regulation and at the latest every five years thereafter, the Commission shall carry out an evaluation of this Regulation and submit to the European Parliament and the Council a report on its performance, including an analysis of the impact on administrative burden incurred upon by service providers active across borders. This report shall also include an assessment of any practical experience relevant to cooperation between coordinating authorities. This report shall contain an assessment of the appropriateness of introducing a European services e-card for other service activities. It shall contain an evaluation of Directive[ESC Directive] in line with its Article 21.

Or. en

Amendment 179

Anna Maria Corazza Bildt, Dariusz Rosati, Mihai Țurcanu, Cristian-Silviu Buşoi, Ivan Štefanec

**Proposal for a regulation
Article 19 – paragraph 2 a (new)**

Text proposed by the Commission

Amendment

The Commission shall, as part of the review, assess whether and how to introduce a harmonised multilingual format for the insurance certificate as referred to in Article 5 of this Regulation. If the outcome of the assessment deems a standardised multilingual format for the

insurance certificate appropriate, the Commission shall adopt rules accordingly.

Or. en

Amendment 180
Lambert van Nistelrooij

Proposal for a regulation
Article 21 – paragraph 2

Text proposed by the Commission

Article 4(1) to (3), Article 5(1), Article 6(1), (2), (3) and (4) , Article 7(1) and (2), Article 8(1), Article 9(1), (2) and (3), Article 10(1) and Article 14(1), (2) and (3) shall apply from [*two* years after entry into force] of this Regulation.

Amendment

Article 4(1) to (3), Article 5(1), Article 6(1), (2), (3) and (4) , Article 7(1) and (2), Article 8(1), Article 9(1), (2) and (3), Article 10(1) and Article 14(1), (2) and (3) shall apply from [*three* years after entry into force] of this Regulation.

Or. nl