

**AMENDMENT 106**

by Angelika Niebler and Astrid Lulling, on behalf of the PPE-DE Group

**Report****A6-0176/2005****Angelika Niebler**

Equal opportunities in employment and work

Proposal for a directive (COM(2004)0279 – C6-0037/2004 – 2004/0084(COD))

Text proposed by the Commission

Amendment by Parliament

Amendment 106  
Article 33, paragraph 2 a (new)

***The obligation to transpose this Directive into national law shall be restricted to provisions which constitute substantive amendments to previous directives. The obligation to transpose unamended provisions results from previous directives.***

Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Or. fr

*Justification*

*A new paragraph should also be inserted before the last (unnumbered) paragraph of Article 33 in order to clarify the scope of the obligation to transpose as part of the recasting exercise, as distinct from the transposition requirements pertaining to other Community legislative instruments. This is a clarification which is normally incorporated in recasting texts.*

30.6.2005

A6-0176/107

**AMENDMENT 107**

by Angelika Niebler and Astrid Lulling, on behalf of the PPE-DE Group

**Report**

**A6-0176/2005**

**Angelika Niebler**

Equal opportunities in employment and work

Proposal for a directive (COM(2004)0279 – C6-0037/2004 – 2004/0084(COD))

Text proposed by the Commission

Amendment by Parliament

Amendment 107

Recital 31 (new)

*(31) Pursuant to point 34 of the interinstitutional agreement on better law-making, Member States are encouraged to draw up, for themselves and in the interests of the Community, their own tables which will, as far as possible, illustrate the correlation between the directives and the transposition measures and to make them public.*

Or. fr

*Justification*

*This addition is based on the provisions of the interinstitutional agreement on better law-making (OJ C 321, 31.12.2003, p. 1) relating to correspondence tables. It is a horizontal provision.*

30.6.2005

A6-0176/108

**AMENDMENT 108**

by Angelika Niebler and Astrid Lulling, on behalf of the PPE-DE Group

**Report**

**A6-0176/2005**

**Angelika Niebler**

Equal opportunities in employment and work

Proposal for a directive (COM(2004)0279 – C6-0037/2004 – 2004/0084(COD))

Text proposed by the Commission

Amendment by Parliament

Amendment 108  
Article 6, paragraph 2

2. This Chapter also applies to pension schemes for a particular category of worker such as that of public servants if the benefits payable under the scheme are paid by reason of the employment relationship with the public employer ***in that they are directly related to the period of service and their amount is calculated by reference to the public servant's final salary.***

2. This Chapter also applies to pension schemes for a particular category of worker such as that of public servants if the benefits payable under the scheme are paid by reason of the employment relationship with the public employer.

Or. fr

*Justification*

*This amendment seeks to restrict decisions of the ECJ to the essential provisions while ensuring a dynamic evolution. The part of the text which is being deleted is also fully contained in recital 12.*

30.6.2005

A6-0176/109

**AMENDMENT 109**

by Angelika Niebler and Astrid Lulling, on behalf of the PPE-DE Group

**Report**

**A6-0176/2005**

**Angelika Niebler**

Equal opportunities in employment and work

Proposal for a directive (COM(2004)0279 – C6-0037/2004 – 2004/0084(COD))

Text proposed by the Commission

Amendment by Parliament

Amendment 109  
Article 28 a (new)

*Article 28a*

*1. This Directive shall be without prejudice to provisions concerning the protection of women, particularly as regards pregnancy and maternity.*

*2. This Directive shall be without prejudice to the provisions of Directive 96/34/EC and Directive 92/85/EC.*

Or. fr

*Justification*

*The draft report, as adopted in committee, moved Article 3(1) to Article 5a (see Amendments 34 and 40 of the draft report of 16 June 2005 A6-0176/2005) in order to ensure greater coherence and, in particular, to group together the provisions relating to the principle of gender equality in occupational social security schemes. However, the draft report does not specify what should happen to the other paragraphs of Article 3 (initially paragraphs 2 and 3). In order to maintain the full coherence of the text, they should be incorporated into a new article in the appropriate place. Chapter 3 ('General horizontal provisions') of Title III ('Horizontal provisions') seems most appropriate.*