



Plenary sitting

A8-0195/2017

11.5.2017

REPORT

on a European Agenda for the collaborative economy
(2017/2003(INI))

Committee on the Internal Market and Consumer Protection

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on a European Agenda for the collaborative economy (2017/2003(INI))

The European Parliament,

- having regard to its resolution of 19 January 2016 on Towards a Digital Single Market Act¹,
- having regard to its resolution of 26 May 2016 on the Single Market Strategy²,
- having regard to its resolution of 24 November 2016 on new opportunities for small transport businesses, including collaborative business models³,
- having regard to the meeting of the Council High Level Working Group on Competitiveness and Growth of 12 September 2016 and the Presidency's discussion paper on the subject⁴,
- having regard to the Commission communication on a European agenda for the collaborative economy of 2 June 2016 (COM(2016)0356),
- having regard to the Commission communication of 25 May 2016 on online platforms and the Digital Single Market opportunities and challenges for Europe (COM(2016)0288),
- having regard to the Commission communication entitled 'Upgrading the Single Market: more opportunities for people and business' of 28 October 2015 (COM(2015)0550),
- having regard to the Commission communication of 6 May 2015 on a Digital Single Market Strategy for Europe 2015 (COM(2015)0192),
- having regard to the Competitiveness Council of 29 September 2016 and its outcome,
- having regard to Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market ('Services Directive')⁵,
- having regard to 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 ('Electronic Commerce Directive')⁶,
- having regard to Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC,

¹ Texts adopted, P8_TA(2016)0009.

² Texts adopted, P8_TA(2016)0237.

³ Texts adopted, P8_TA(2016)0455

⁴ <http://data.consilium.europa.eu/doc/document/ST-11834-2016-INIT/en/pdf>

⁵ OJ L 376, 27.12.2006, p. 36.

⁶ OJ L 178, 17.7.2000, p. 1.

98/27/EC and 2002/65/EC of the European Parliament and of the Council, and Regulation (EC) No 2006/2004 of the European Parliament and of the Council ('Unfair Commercial Practices Directive')¹,

- having regard to Directive 2009/136/EC of the European Parliament and of the Council of 25 November 2009 amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws ('Consumer Rights Directive')²,
 - having regard to the Commission staff working document of 25 May 2016 on guidance on implementation of the Unfair Commercial Practices Directive (UCPD) (SWD(2016)0163),
 - having regard to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC ('General Data Protection Regulation')³,
 - having regard to the opinion of the Committee of the Regions of 7 December 2016 entitled 'The collaborative economy and online platforms: a shared view of cities and regions'⁴,
 - having regard to the opinion of the European Economic and Social Committee of 15 December 2016 on the collaborative economy⁵,
 - having regard to Rule 52 of its Rules of Procedure,
 - having regard to the report of the Committee on the Internal Market and Consumer Protection and the opinions of the Committee on Employment and Social Affairs, the Committee on Industry, Research and Energy and the Committee on Transport and Tourism (A8-0195/2017),
- A. whereas the collaborative economy has experienced rapid growth in recent years, in terms of users, transactions and revenues, reshaping how products and services are provided and challenging well-established business models in many areas;
- B. whereas the collaborative economy has social benefits for EU citizens,
- C. whereas small and medium-sized enterprises (SMEs) are the main engine of the European economy, representing, according to 2014 figures, 99.8 % of all undertakings outside the financial sector and accounting for two out of three of all jobs;

¹ OJ L 149, 11.6.2005, p. 22.

² OJ L 337, 18.12.2009, p. 11.

³ OJ L 119, 4.5.2016, p. 1.

⁴ ECON-VI/016.

⁵ INT/793 EESC-2016-3545-00-00-AC-TRA.

- D. whereas only 1.7 % of enterprises in the EU make full use of advanced digital technologies, while 41 % do not use them at all; whereas the digitalisation of all sectors is crucial if the EU's competitiveness is to be maintained and improved;
- E. whereas a recent study by the Commission shows that 17 % of European consumers have used services provided by the collaborative economy, and 52 % are aware of the services offered¹;
- F. whereas there are no official statistics on the volume of employment in the collaborative economy;
- G. whereas the collaborative economy offers possibilities for young people, migrants, part-time workers and senior citizens to access the labour market;
- H. whereas collaborative economy models can help to boost the participation of women in the labour market and the economy, by providing opportunities for flexible forms of entrepreneurship and employment;
- I. whereas, while the recent Commission communication on a European agenda for the collaborative economy presents a good starting point for promoting and regulating this sector effectively, there is a need to incorporate the gender equality perspective and to reflect the provisions of the relevant anti-discrimination legislation in the context of further analysis and recommendations in this field;
- J. whereas promoting social justice and protection, as defined in Article 3 of the Treaty on European Union and Article 9 on the Treaty on the Functioning of the European Union, is also an objective of the EU's internal market;

General considerations

1. Welcomes the communication on a European agenda for the collaborative economy, and underlines that it should represent a first step towards a well-balanced, more comprehensive and ambitious EU strategy on the collaborative economy;
2. Believes that, if developed in a responsible manner, the collaborative economy creates significant opportunities for citizens and consumers, who benefit from enhanced competition, tailored services, increased choice and lower prices; underlines that the growth in this sector is consumer driven and allows consumers to take a more active role;
3. Stresses the need to enable businesses to grow by removing hurdles, duplication and fragmentation that hinders cross-border development;
4. Encourages Member States to provide legal clarity and not to view the collaborative economy as a threat to the traditional economy; stresses the importance of regulating the collaborative economy in a way that is facilitating and enabling rather than restrictive;
5. Agrees that the collaborative economy generates new and interesting entrepreneurial opportunities, jobs and growth, and frequently plays an important role in making the

¹ Flash Eurobarometer 438 (March 2016) on 'The use of collaborative platforms'.

economic system not only more efficient, but also socially and environmentally sustainable, allowing for a better allocation of resources and assets that are otherwise under-used, and thus contributing to the transition towards a circular economy;

6. Acknowledges, at the same time, that the collaborative economy can have a significant impact on long-established regulated business models in many strategic sectors such as transportation, accommodation, the restaurant industry, services, retail and finance; understands the challenges linked to having different legal standards for similar economic actors; believes that the collaborative economy empowers consumers, offers new job opportunities and has the potential to facilitate tax compliance, but stresses nevertheless the importance of ensuring a high level of consumer protection, of fully upholding workers' rights and of ensuring tax compliance; recognises that the collaborative economy affects both urban and rural environments;
7. Points to the lack of clarity among entrepreneurs, consumers and authorities as to how to apply current regulations in some areas and thus the need to address regulatory grey areas, and is concerned about the risk of fragmentation of the single market; is aware that, if not properly governed, these changes could result in legal uncertainty about applicable rules and constraints in exercising individual rights and protecting consumers; believes that regulation needs to be fit for purpose for the digital age and is deeply concerned about the negative impact of legal uncertainty and the complexity of rules on European start-ups and non-profit organisations involved in the collaborative economy;
8. Considers that the development of a dynamic, clear and, where appropriate, harmonised legal environment and the establishment of a level playing field is an essential precondition for a flourishing collaborative economy in the EU;

Collaborative economy in the EU

9. Emphasises the need to consider the collaborative economy not only as a collection of new business models offering goods and services but also as a new form of integration between the economy and society where the services offered are based on a wide variety of relations embedding economic relations within social ones and creating new forms of community and new business models;
10. Notes the fact that the collaborative economy in Europe has some specific traits, also reflecting the European business structure, which consists mainly of SMEs and micro-enterprises; stresses the need to ensure a business environment where collaborative platforms are able to scale-up and be highly competitive on the global market;
11. Notes that European entrepreneurs show a strong propensity for creating collaborative platforms for social purposes, and acknowledges a growing interest in the collaborative economy based on cooperative business models;
12. Underlines the importance of preventing any form of discrimination, so as to grant effective and equal access to collaborative services;
13. Considers that those services offered within the collaborative economy which are publicly advertised and offered for profit fall within the remit of Council Directive

2004/113/EC implementing the principle of equal treatment between men and women in the access to and supply of goods and services and should, therefore, be consistent with the principle of equal treatment of women and men;

EU regulatory framework: peers, consumers, collaborative platforms

14. Recognises that while certain parts of the collaborative economy are covered by regulation, including at local and national level, other parts may fall into regulatory grey areas as it is not always clear which EU regulations apply, thus causing significant differences among the Member States due to national, regional and local regulations as well as case-law, thereby fragmenting the Single Market;
15. Welcomes the Commission's intention to tackle the current fragmentation, but regrets that its communication did not bring sufficient clarity about the applicability of existing EU legislation to different collaborative economy models; emphasises the need for the Member States to step up enforcement of existing legislation, and calls on the Commission to aim for an enforcement framework supporting the Member States in their efforts, most importantly regarding the Services Directive and the consumer acquis; calls on the Commission to make full use of all tools available in this context, including infringement procedures, whenever incorrect or insufficient implementation of the legislation is identified;
16. Stresses that market access requirements for collaborative platforms and service providers must be necessary, justified and proportionate as provided for in the Treaties and secondary legislation, as well as simple and clear; underlines that this assessment should take into consideration whether services are provided by professionals or private individuals, making peer providers subject to lighter legal requirements, while ensuring quality standards and a high level of consumer protection as well as taking into account sectoral differences;
17. Recognises the need for incumbents, new operators and services linked to digital platforms and the collaborative economy to develop in a business friendly environment, with healthy competition and transparency with regard to legislative changes; agrees that when assessing market access requirements in the context of the Services Directive, Member States should take into account the specific features of collaborative economy businesses;
18. Urges the Commission to work together with Member States to provide further guidelines on laying down effective criteria for distinguishing between peers and professionals, which is crucial for the fair development of the collaborative economy; points out that these guidelines should provide clarity and legal certainty and take into account, inter alia, the differing legislation in Member States and their economic realities, such as income level, the characteristics of the sectors, the situation of micro and small businesses and the profit making purpose of the activity; is of the opinion that a set of general principles and criteria at EU level and a set of thresholds at national level could be a way forward, and calls on the Commission to conduct a study in this respect;
19. Draws attention to the fact that while establishing thresholds can provide appropriate dividing lines between peers and businesses, it may, at the same time, create a disparity

between micro and small businesses on the one side, and peers on the other; believes that a level playing field among comparable categories of service providers is highly recommended; calls for the removal of unnecessary regulatory burdens and unjustified market access requirements for all business operators, in particular for micro and small businesses, as this also stifles innovation;

20. Welcomes the Commission's initiative to ensure the adequacy of consumer law and preventing abuse of the collaborative economy to circumvent legislation; believes that consumers should enjoy a high and effective level of protection, regardless of whether services are provided by professionals or peers and highlights, in particular, the importance of protecting consumers in peer-to-peer transactions, while recognising that some form of protection can be delivered by self-regulation;
21. Calls for action to be taken to guarantee full use of, and constant compliance with, consumer protection rules by occasional service providers, on the same or on a comparable basis as professional service providers;
22. Notes that consumers should have access to information on whether reviews by other users of a service might not be subject to influence from the provider, for example in the form of paid advertising;
23. Points to the need for greater clarity regarding safeguards for consumers in the event of disputes, and calls on the collaborative platforms to ensure that effective systems are in place for complaint procedures and settling disputes, thus facilitating the way consumers can exercise their rights;
24. Stresses that collaborative economy business models are largely based on reputation, and highlights that transparency is essential in this respect; believes that in many cases collaborative economy business models empower consumers and allow them to take an active role, supported by technology; emphasises that, rules for protecting consumers are still needed in the collaborative economy, especially where there are market dominated players, asymmetric information, a lack of choice or competition; underlines the importance of guaranteeing adequate information for consumers about the applicable legal regime of each transaction and consequent rights and legal obligations;
25. Calls on the Commission to further clarify the liability regimes of collaborative platforms as quickly as possible, in order to promote responsible behaviour, transparency, legal certainty and thereby increase user confidence; acknowledges, in particular, the lack of certainty especially on whether a platform provides an underlying service or is merely offering an information society service, according to the e-Commerce Directive; calls, therefore, on the Commission to provide further guidance on these aspects and to consider whether further actions are needed to make the regulatory framework more effective; encourages collaborative platforms, at the same time, to take voluntary measures in this respect;
26. Calls on the Commission to further scrutinise EU legislation in order to reduce uncertainties and guarantee greater legal certainty concerning the rules applicable to collaborative business models and to assess whether new or amended rules are appropriate, in particular concerning active intermediaries and their information and transparency requirements, non-performance and liability;

27. Believes that any new regulatory framework should leverage platforms' self-governing capacities and peer-review mechanisms, since both have proved to work effectively and take into account consumer satisfaction with collaborative services; is convinced that collaborative platforms themselves can take an active role in creating such a new regulatory environment by correcting asymmetric information, especially by means of digital reputation mechanisms to increase user trust; notes, at the same time, that the collaborative platform's self-regulating capacity does not replace the need for the existing rules such as the Service and e-Commerce Directives, EU consumer law and other possible rules;
28. Believes, therefore, that digital trust building mechanisms are an essential part of the collaborative economy; welcomes all efforts and initiatives put in place by collaborative platforms to avert distortions as well as those aimed at enhancing trust and transparency in rating and reviews mechanisms, establishing reliable reputation criteria, introducing guarantees or insurance, the identity verification of peers and prosumers, and developing secure and transparent payment systems; considers these new technological developments, such as two-way rating mechanisms, independent checks of reviews and voluntary adoption of certification schemes as good examples of how to prevent abuses, manipulations, fraud and fake feedback; encourages collaborative platforms to learn from best practices and raise awareness about their users' legal obligations;
29. Points out the crucial importance of clarifying methods by which automated decision-making systems based on algorithms operate, in order to guarantee algorithm fairness and transparency; asks the Commission to also examine this issue from the EU competition law perspective; calls on the Commission to engage with Member States, the private sector and the relevant regulators with a view to laying down effective criteria for developing algorithm accountability principles for information-based collaborative platforms;
30. Emphasises the need to assess the use of data where it may have different impacts on different segments of society, to prevent discrimination and to verify the potential harm to privacy caused by big data; recalls that the EU has already developed a comprehensive framework for data protection in the General Data Protection Regulation (GDPR), and therefore calls on collaborative economy platforms not to neglect the issue of data protection, by supplying transparent information to service providers and users about the personal data collected and the way in which those data are processed;
31. Recognises that many rules from EU *acquis* are already applicable to the collaborative economy; calls on the Commission to assess the need to further develop an EU legal framework in order to prevent further fragmentation of the Single Market in line with better regulation principles and Member States' experiences; believes that this framework should be harmonised, where appropriate, as well as flexible, technologically neutral and future proof and should consist of a combination of general principles and specific rules, in addition to any sector-specific regulation that might be needed;
32. Emphasises the importance of coherent legislation in order to guarantee the proper functioning of the internal market for all, and calls on the Commission to safeguard current rules and legislation on workers' and consumer rights before introducing new

legislation which could fragmentise the internal market;

Competition and tax compliance

33. Welcomes the fact that the rise of the collaborative economy has brought greater competition and has challenged existing operators to focus on consumers' real demands; encourages the Commission to foster a level playing field for competition in comparable services among collaborative platforms and between them and traditional enterprises; stresses the importance of identifying and addressing barriers to the emergence and scaling-up of collaborative businesses, especially start-ups; underlines in this context the need for the free flow of data, data portability and interoperability, which facilitate switching between platforms and prevent lock-in, which are all key factors for open and fair competition and for empowering users of collaborative platforms while taking into account legitimate interests of all market players and protecting user information and personal data;
34. Welcomes the increased traceability of economic transactions enabled by online platforms in order to ensure tax compliance and enforcement, but is concerned about the difficulties that have emerged so far in some sectors; stresses that the collaborative economy should never be used as a way of avoiding tax obligations; stresses, further, the urgent need for collaboration between the competent authorities and collaborative platforms on tax compliance and collection; recognises that these issues have been addressed in certain Member States and takes note of successful public-private cooperation in this field; calls on the Commission to facilitate exchange of best practices among Member States, involving competent authorities and stakeholders, to develop effective and innovative solutions enhancing tax compliance and enforcement, in order to also eliminate the risk of cross-border tax fraud; invites the collaborative platforms to play an active role in this regard; encourages the Member States to clarify and to cooperate on the information that different economic actors involved in the collaborative economy must disclose to tax authorities in the framework of their tax information duties, as provided for by national legislation;
35. Agrees that functionally similar tax obligations should be applied to businesses providing comparable services, whether in the traditional economy or in the collaborative economy, and believes that taxes should be paid where profits are generated and where more is involved than simply contributions to costs, while respecting the principle of subsidiarity, and also in accordance with national and local tax laws;

Impact on labour market and workers' rights

36. Emphasises that the digital revolution is having a significant impact on the labour market and that emerging trends in the collaborative economy are part of a current trend within the digitalisation of society;
37. Notes, at the same time, that the collaborative economy is opening new opportunities and new, flexible routes into work for all users, especially for the self-employed, for those who are unemployed, currently far from the labour market or would otherwise be unable to participate in it and could thus serve as a point of entry to the labour market, especially for young people and marginalised groups; points out, however, that, in some

circumstances, this development can also lead to precarious situations; stresses the need for labour market flexibility, on the one hand, and for economic and social security for workers on the other, in line with customs and traditions in Member States;

38. Underlines the paramount importance of safeguarding workers' rights in the collaborative services – first and foremost the right of workers to organise, the right of collective bargaining and action, in line with national law and practice; recalls that all workers in the collaborative economy are either employed or self-employed based on the primacy of facts and must be classified accordingly; calls on the Member States and the Commission, in their respective areas of competence, to ensure fair working conditions and adequate legal and social protection for all workers in the collaborative economy, regardless of their status;
39. Underlines the importance of ensuring the fundamental rights and adequate social security protection of the rising number of self-employed workers, who are key players in the collaborative economy, including the right of collective bargaining and action, also with regard to their compensation;
40. Encourages the Member States to recognise that the collaborative economy will also bring disruption, and therefore to prepare absorption measures for certain sectors and to support training and outplacement;
41. Underlines the importance of collaborative platform workers being able to benefit from the portability of ratings and reviews, which constitute their digital market value, and the importance of facilitating the transferability and accumulation of ratings and reviews across different platforms while respecting rules on data protection and the privacy of all parties involved; notes the possibility for unfair and arbitrary practices regarding online ratings, which may affect the working conditions and entitlements of collaborative platform workers and their ability to obtain jobs; believes that rating and review mechanisms should be developed in a transparent way and that workers should be informed and consulted at the appropriate levels, and in accordance with Member State law and practices, on the general criteria used to develop such mechanisms;
42. Stresses the importance of up-to-date skills in the changing employment world and of ensuring that all workers have adequate skills as required in the digital society and economy; encourages the Commission, the Member States and collaborative economy businesses to make lifelong training and digital skills development accessible; believes that public and private investments and funding opportunities for lifelong learning and training are needed, especially for micro and small enterprises;
43. Stresses the importance of teleworking and smartworking in connection with the collaborative economy, and advocates, in this regard, the need to place these ways of working on an equal footing with traditional ones;
44. Calls on the Commission to examine how far the Directive on Temporary Agency Work (2008/104/EC) is applicable to specific online platforms; considers that many intermediating online platforms are structurally similar to temporary work agencies (triangular contractual relationship between: temporary agency worker/platform worker; temporary work agency/online platform; user undertaking/client);

45. Calls on the national public employment services and the EURES network to communicate better on the opportunities offered by the collaborative economy;
46. Calls on the Commission, the Member States and social partners to provide adequate information to platform workers on working and employment conditions and workers' rights, and on their working relationships with both platforms and users; considers that platforms should play a proactive role in providing information to users and workers regarding the applicable regulatory framework with a view to fulfilling legal requirements;
47. Draws attention to the lack of data relating to changes in the employment world brought about by the collaborative economy; calls on the Member States and the Commission, also in cooperation with social partners, to gather more reliable and comprehensive data in this respect and encourages the Member States to appoint an already existing national competent entity to monitor and evaluate emerging trends in the collaborative labour market; stresses the importance of information and best practice exchanges between Member States in this context; underlines the importance of monitoring the labour market and the working conditions in the collaborative economy in order to combat illegal practices;

Local dimension of the collaborative economy

48. Observes that an increasing number of local authorities and governments are already active in regulating and developing the collaborative economy, focusing on collaborative practices both as the subject of their policies and as an organising principle of new forms of collaborative governance and participatory democracy;
49. Notes that there is ample room for manoeuvre for national, regional and local authorities to adopt context-specific measures in order to address clearly identified public interest objectives with proportionate measures fully in line with EU legislation; calls on the Commission therefore to support the Member States in their policy-making and in adopting rules consistent with EU law;
50. Notes that the first movers have been cities, where urban conditions such as population density and physical proximity favour the adoption of collaborative practices, extending the focus from smart cities to sharing cities and easing the transition to more citizen-friendly infrastructures; is also convinced that the collaborative economy can offer significant opportunities to inner peripheries, rural areas and disadvantaged territories, can bring new and inclusive forms of development, can have a positive socio-economic impact, and help marginalised communities with indirect benefits for the tourism sector;

Promotion of the collaborative economy

51. Points out the importance of adequate competencies skills and training with a view to enabling as many individuals as possible to play an active role in the collaborative economy and to unleash its potential;
52. Emphasises that ICTs allow innovative ideas within the collaborative economy to evolve quickly and efficiently, while connecting and empowering participants, whether users or service-providers, facilitating their access to the market and their engagement

within it, making remote and rural areas more accessible;

53. Calls on the Commission to be proactive in encouraging public-private cooperation in particular with regard to the take-up of e-IDs, to increase consumer and service providers' trust in online transactions, building on the EU framework for mutual recognition of e-IDs, and to address other existing barriers to the growth of the collaborative economy, such as obstacles to providing cross-border insurance schemes;
54. Points to how the introduction of 5G will fundamentally transform the logic of our economies, making services more diverse and accessible; stresses, in this regard, the importance of creating a competitive market for innovative businesses, the success of which will ultimately define the strength of our economies;
55. Points out that the collaborative economy is increasingly important in the energy sector, allowing consumers, producers, individuals and communities to engage efficiently in several decentralised phases of the renewable energy cycle, including self-production and self-consumption, storage and distribution, in line with the climate and energy objectives of the Union;
56. Points out that the collaborative economy thrives, in particular, in those communities, in which knowledge- and education-sharing models are strong, thereby catalysing and consolidating a culture of open innovation; stresses the importance of coherent policies and the deployment of broadband and ultra-broadband as a precondition to develop the full potential of the collaborative economy and to reap the benefits offered by the collaborative model; recalls, therefore, the need to enable an adequate network access for all citizens in the EU, especially in less populated, remote or rural areas, where sufficient connectivity is not yet available;
57. Underlines that the collaborative economy needs support for its development and scaling-up and needs to remain open to research, innovations and new technologies in order to attract investments; calls on the Commission and Member States to ensure that EU legislation and policies are future proof, with particular regard to opening non-exclusive, experimentation-oriented spaces fostering digital connectivity and literacy, supporting European entrepreneurs and start-ups, incentivising Industry 4.0, innovation hubs, clusters, and incubators while at the same time developing cohabitation synergies with traditional business models;
58. Stresses the complex nature of the transport sector within and outside the collaborative economy; notes that this sector is subject to heavy regulation; notes the potential of collaborative economy models to significantly improve the efficiency and sustainable development of the transport system (including by means of seamless multimodal ticketing and travel in a single journey for transport users with collaborative economy apps), its safety and security, and make remote areas more accessible and reduce undesired externalities of traffic congestion;
59. Calls on the relevant authorities to promote the beneficial coexistence of collaborative transport services and conventional transport system; invites the Commission to integrate the collaborative economy into its work on new technologies in transport (connected vehicles, autonomous vehicles, integrated digital ticketing, and intelligent transport systems) because of their strong interactions and natural synergies;

60. Stresses the need for legal certainty for platforms and their users in order to ensure the development of the collaborative economy in the transport sector in the EU; notes that in the mobility sector, it is important to clearly differentiate between, on the one hand, (i) carpooling and sharing of costs in the context of an existing trip the driver planned for his own purpose, and on the other hand, (ii) regulated passenger transport services;
61. Recalls that, according to Commission estimates, peer-to-peer accommodation is the largest collaborative economy sector on the basis of generated commerce, while peer-to-peer transportation is the largest measured by platform revenue;
62. Highlights that in the tourism sector home-sharing represents an excellent use of resources and under-used space, especially in areas that do not traditionally benefit from tourism;
63. Condemns, in this regard, the regulations being imposed by some public authorities, which seek to restrict the supply of tourist accommodation via the collaborative economy;
64. Draws attention to the difficulties faced by European collaborative platforms in gaining access to risk capital as well as in their scaling-up strategies, accentuated by the small size and fragmentation of domestic markets and by a critical shortage of cross-border investments; calls on the Commission and the Member States to make full use of existing financing instruments to invest in collaborative businesses and to promote initiatives to ease access to financing, especially for start-ups, small and medium-sized enterprises and businesses;
65. Emphasises that collaborative financing systems, such as crowd-funding, is an important complement to traditional funding channels as part of an effective financing ecosystem;
66. Notes that services provided by SMEs in the collaborative economy sector are not always sufficiently tailored to the needs of persons with disabilities and the elderly; calls for tools and programmes aimed at supporting these operators to take into account the needs of persons with disabilities;
67. Calls on the Commission to facilitate and promote access to appropriate funding lines for European entrepreneurs who operate in the collaborative economy sector, and also in the framework of the EU Research and Innovation Programme –Horizon 2020;
68. Notes the rapid development and the increasing diffusion of innovative technologies and digital tools, such as the blockchains and distributed ledger technologies, in the financial sector too; underlines that the use of these decentralised technologies might enable effective peer-to-peer transactions and connections in the collaborative economy, leading to the creation of independent markets or networks and replacing, in the future, the role of intermediaries filled today by the collaborative platforms;
69. Instructs its President to forward this resolution to the Council and the Commission.

EXPLANATORY STATEMENT

1. Collaborative economy: general overview

The concept of a ‘Collaborative economy’ encompasses a wide range of activities, which stem from a variety of collaborative business models, including non-profit driven ones; the business models range from collaborative platforms which enable the exchange of goods or services all over the world to small collaborative SMEs which provide services for the local communities.

In the last years, the collaborative economy experienced a rapid growth in terms of users, transactions and revenues, ultimately reshaping how products and services are provided in many fields. In early 2014, six areas of activities were mainly affected (goods/retail, services, space/accommodation, food, transportation and money). By 2016, the number of areas had almost tripled: expanding into new sectors (i.e. health, learning, logistics, municipalities, space, utilities such as energy, etc.) or creating new type of activities (i.e. makers’ movement within goods sector).

A number of terms are being used for describing this fast growing phenomenon, often interchangeably: sharing economy, peer economy, on demand economy, peer platform markets, gig economy, collaborative consumption, crowd-based capitalism, (etc.). These definitions reflect the dynamics of the phenomenon itself as well as the scale and intensity of the ongoing political and academic debate about it.

So far, several *definitions* for collaborative economy already exist. The Oxford dictionary defines the collaborative economy as: ‘*an economic system in which assets or services are shared between private individuals, either free or for a fee, typically by means of internet*’.¹ In its Communication, the Commission refers to it as ‘*business models where activities are facilitated by online platforms that create an open market place for the temporary user of goods or services often provided by private individuals*’, while specifying that collaborative economy transactions frequently do not involve a change of ownership and can be carried out for profit or non- profit.

Within the collaborative economy and its business models, three main types of actors have generally been identified:

- (i) service providers - private individuals offering services (assets, skills, time for a fee or for free) on an occasional basis (*peers*) or professionals;
- (ii) users of these services, and
- (iii) collaborative platforms which connect supply and demand in real-time and facilitate transactions.

2. Commission’s response

In June 2016, the Commission published a Communication entitled *European Agenda for the Collaborative Economy* with the aim to address concerns over uncertainty about rights and obligations of different actors taking part in the collaborative economy and in order to provide

¹ See: https://en.oxforddictionaries.com/definition/sharing_economy

answers from an EU perspective. The Communication aims to provide a non-binding guidance on how the existing EU legislation applies to collaborative economy business models. It examines issues faced by market operators and public authorities alike clustered within five key areas: 1.) Market access requirements; 2.) Liability regimes; 3.) Protection of users; 4.) Self-employed and workers in the collaborative economy; 5.) Taxation.

3. Main issues linked to the collaborative economy

3.1. Opportunities and benefits

The collaborative economy may create significant opportunities for consumers, entrepreneurs and citizens, and as well as generate new jobs, growth and sources of income.

It is estimated that collaborative platforms operating in five key sectors of the collaborative economy generated revenues of EUR 3.6 billion in 2015 in the EU.¹ The potential of the collaborative economy is significant, with annual growth exceeding 25 %² and, theoretically, the estimate of the economic gain linked with a better use of capacities as a result of the collaborative economy could reach up to EUR 572 billion.³ These figures should nevertheless be considered with a certain caution, as despite the growing economic importance, measuring the value of the collaborative economy remains difficult. This is also due to the lack of an agreed methodology on how to measure the multiple impacts of the collaborative economy on economy, society and environment, as well as the lack of collected data.

Several surveys reveal rather considerable consumer support and interest in the collaborative economy.⁴ A number of reasons and motives incites peers to take part in this new business model, such as financial benefits, quality and experience benefits, as well as positive social or societal impact. According to Eurobarometer, 42 % of consumers find collaborative economy services more convenient and 33 % appreciate the fact that it is cheaper or even free.⁵

3.2. Main challenges and risks

At the same time, it is also important to notice the considerable effects the collaborative economy business models are having on many traditional businesses and their long established models of production and consumption. In recent years, the rapid and unregulated growth of this phenomenon has generated a number of challenges and potential risks which should be considered and reflected upon.

First of all, numerous questions have arisen about consumer rights and consumer protection regime on sensitive issues which concern data privacy, transparency and reliability of information provided to the consumers, liability regimes of the collaborative platforms, algorithm fairness and possible forms of discrimination. There is a potential risk of lowering minimum standards, especially in peer-to-peer (P2P) transactions, when confronted with existing standards applied on similar services provided by professionals. Moreover, the rapid diffusion of collaborative platforms in some sectors has created a risk of unfair competition,

¹ The Sharing Economy, Case Study 12, Sept 2013 by PWC.

² *Ibidem* (PWC(2013)).

³ EPRS, The Cost of Non-Europe in the sharing economy, 2016.

⁴ According to the BEUC survey from July 2015, 70 % of consumers participated at least once and between 60-80 % of respondents are very satisfied with their experience, 32 % of them participating as 'prosumers'.

⁵ Flash Eurobarometer 438, June 2016, EC.

with the creation of new monopolies and lock-in mechanism. This has also created serious difficulties in relation to tax compliance and enforcement, despite the increased traceability of economic transactions.

Last but not least, the collaborative business models created within the ongoing digital revolution, are having a profound impact on the labour market as well as on the employment relations between collaborative platforms and workers, with the concrete risk of undermining fair working conditions, minimum legal standards and adequate social protection.

3.3. Regulatory framework

Two main questions arise with regard to the regulatory framework: 1.) which provisions of the *acquis communautaire* may be applied to the collaborative economy; 2.) whether existing EU rules are fit for purpose to provide the needed clarity, empowerment and protection for different actors within the collaborative economy.

Collaborative business models are more complex and varied, featuring a different degree of decentralisation, de-professionalisation and the participation of new economic agents, peers/prosumers. Moreover, so far clear lines of distinction between professional service provider/trader and consumer have been blurred due to multisided relationships -involving consumer as service provider either in a consumer-to-consumer transaction (P2P) or in a consumer-to-business transaction.

As the existing EU legal framework was designed to regulate conventional businesses and to protect rights of consumers as the vulnerable party in a business transaction, difficulties come up. Questions about the rights and obligations of different actors within the collaborative economy arise and create an environment of uncertainty. This uncertainty relates to a number of aspects - the applicable EU regulatory framework, regulatory obligations for different actors within the collaborative economy, consumer rights, liability regime, status of workers, and tax regime - to name the key ones.

3.4. Risk of fragmentation of the Single Market

The collaborative economy has triggered various regulatory responses not only from Member States, but also regional and local authorities and their jurisdictions, as well as the European Court of Justice.¹ Responses and reactions differ largely and reflect different MSs approaches to tackle the challenges of the collaborative economy business model, even within the same country.

Some Member States are developing specific measures and establishing criteria which subject peers to lighter legal requirements; in some cases, they distinguish between professional and non-professional provision of service by establishing thresholds for collaborative economy income for peers and applying lower tax rates.² In some other countries, national authorities are

¹ ECJ Case C-434/15, ECJ Case C-526/15.

² BE tackles the issue of peers occasionally providing services by applying a special tax rate of only 10% for miscellaneous income up to 5,000€, IT is considering whether to establish a threshold of 10,000€ for non-professional collaborative economy income, while the UK has recently announced a £2,000 tax allowance for property and trading income.

considering whether to introduce stricter information obligations for collaborative platforms.¹

It has to be noted that cities have been among the first to react to the collaborative economy, as urban conditions such as population density and physical proximity have favoured a more rapid diffusion of the adoption of collaborative practices, especially in some sectors such as the accommodation and transport.² Some positive cases of collaboration between competent local authorities and collaborative platforms have generated good practises, such as the provision of professional training for prosumers, insurance schemes or the provision of increasing awareness for users about possible fiscal and legal obligations.³

These and other examples of action undertaken either by some MSs, regional authorities and cities, sometimes with the active cooperation of collaborative platforms themselves, showcase a number of best practices that could be applied across the EU. Nevertheless, such unilateral fragmented actions are generating numerous limitations and creating barriers for EU collaborative businesses that wish to scale up and expand, as well as for consumers, thereby ultimately undermining some of the benefits of the collaborative economy and threatening to fragment the Single Market.

3. Key priorities of the Rapporteur

The Rapporteur recognises the important opportunities and benefits of the collaborative economy for the society and economy; at the same time, he is attentive to the potential challenges - underlined above – and is especially concerned by the possible risk of fragmentation of the Single Market while large part of the collaborative economy remains unregulated.

Therefore, in his view, first and foremost, there is a need for a horizontal European framework consisting of a combination of general principles and specific rules which would pave the way for a homogenous and dynamic EU level playing field and would prevent possible negative effects on workers, risk of unfair competition between traditional sectors and collaborative platforms, and tax avoidance.

Equally important is the need to define characteristics and responsibilities for the key actors of the collaborative economy, in particular with regards to:

- clear distinction between peers and professionals;
- nature, duties and responsibilities of collaborative platforms;
- high level of consumer protection, also in the P2P dimension/transactions.

The Rapporteur, finally, encourages further promotion of an EU collaborative economy model, through financial instruments and investment in training. He believes that a fair and well-regulated development of the collaborative economy could offer significant opportunities for

¹ FR: Loi n° 2016-1321 du 7 octobre 2016 pour une République numérique.

² For example, DE and BE: while Berlin and Brussels impose strict registration requirements for the accommodation platforms, Hamburg and the Flemish region respectively have established a divergent approach, characterized by lower registration requirements.

³ EE local authorities are carrying out a pilot project in collaboration with a car-sharing platform, establishing a more convenient tax filing application for various e-solution based business models.

all sectors of society and could favour a more inclusive and sustainable economic development in the EU.

ANNEX: LIST OF ENTITIES OR PERSONS FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT

The following list is drawn up on a purely voluntary basis under the exclusive responsibility of the Rapporteur. The list is not exhaustive. The Rapporteur and/ or his office has received input from the following entities until the vote in the IMCO Committee:

Entity
AHTOP - Association française pour un hébergement et un tourisme professionnel
Airbnb
Altroconsumo
Bed & Breakfast Association
BEUC - The European Consumer Organisation
Blablacar
Bruegel Institute
CCRE - Council of European Municipalities and Regions
Charlie 24
CNA - Confederazione Nazionale dell'artigianato e della Piccola Impresa
Collaboriamo
Committee of the Regions
Confcommercio
Cooperatives Europe
Danish Confederation of Trade Unions
EFCI - European Federation of Cleaning Industries
Enterprise Holdings
Enterprise Rent-A-Car
Estonian Permanent Representation to the EU
ETUC - European Trade Union Confederation
EUCOLAB
Eurocities
European Business Service Alliance (EBSA)
European Holiday Home Association
European Hotel Forum
Flintglobal
French Permanent Representation to the EU
Heetch
HomeAway
Hotrec
IRU - International Taxi Forum
Italian Permanent Representation to the EU
Ouishare
Slovakian Permanent Representation to the EU
Uber
Uni Global Union
Unionen

Volta
Wethic
Zurich Insurance

27.3.2017

OPINION OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL AFFAIRS

for the Committee on the Internal Market and Consumer Protection

on a European agenda for the collaborative economy
(2017/2003(INI))

Rapporteur for opinion (*): Joachim Schuster(*) Associated committee – Rule 54 of the Rules of Procedure

SUGGESTIONS

The Committee on Employment and Social Affairs calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

- A. whereas the Commission communication of 6 June 2016 entitled ‘A European Agenda for the collaborative economy’ (COM(2016)0356) stresses the increasing significance of the platform economy and its impact on economic and employment policies, including on growth and jobs, and sets out policy recommendations for the Member States; whereas this communication provides guidelines on applicable Union legislation to help workers, businesses, Member States and society at large benefit from the platform economy;
- B. whereas promoting social justice and protection, as defined in Article 3 TEU and Article 9 TFEU, are also objectives of the EU internal market;
- C. whereas the rates of self-employment (2006: 3.7 %, 2016: 5.6 %) and the proportion of workers taking up second jobs (2002: 3.6 %, 2016: 4.2 %) are on the rise in the EU; whereas there is a lack of employment data for the platform economy; whereas the Commission and the Member States need to better address the social dimension of the platform economy by providing in-depth analysis and data on new forms of employment, by monitoring the evolving regulatory environment, and by encouraging the exchange of best practices among Member States, in order to respond to the social challenges related to this new economy;
- D. whereas the servers and business headquarters of many platforms are located outside the EU and thus fall outside the scope of European law;
- E. whereas the importance of ensuring sufficient capacities to provide adequate social protection at Member State level for people in all forms of employment, including

standard and non-standard employment relationships as well as self-employment, was highlighted in Parliament's report of 20 December 2016 on a European Pillar of Social Rights¹;

- F. whereas the Commission communication is a starting-point for a balanced development of the platform economy, in view of its rapid evolution and the related regulatory loopholes and uncertainties that still have to be tackled, such as precarious forms of work in the platform economy;
- G. whereas the forms of work in the collaborative economy can be differentiated in physical services as work on demand, and in virtual services as crowdwork which is only transmitted via the internet;
- H. whereas the collaborative economy covers such diverse models as crowdfunding, exchange of goods, timebanking and self-consumption groups and the shared use of goods, among other things, and consequently it does not always operate in a digital environment but also operates in community-based contexts, frequently on a non-profit basis; whereas it is practised not only on a global but also on a local scale, and is not exclusively restricted to the economic area but places the emphasis on social, environmental and accessibility aspects;
- I. whereas the platform economy offers opportunities for growth and jobs, inter alia by providing easier entry for people who, among other factors, are distant from the labour market or are looking for new forms of employment with flexible work schedules; whereas it can provide innovative new services; whereas it should ensure good working conditions, social security provision and the reconciliation of (on-demand) work with private life;
- J. whereas access to high-speed broadband is essential for participation in the platform economy and a lack of broadband provision potentially excludes parts of society, such as people living in disadvantaged areas, rural areas and outermost regions, from benefiting from new opportunities;
- K. whereas individuals and service providers using platforms should be better informed about the legal requirements they need to fulfil, in particular with regard to their rights and obligations related to their employment status;
- L. whereas there are no official statistics on the volume of employment in the platform economy;

Introduction

1. Stresses that the Union should underpin the development of the platform economy through the clarification of the applicable legal provisions and shape its course in a socially just, balanced and sustainable manner; recommends that the protection of workers in new forms of employment such as the platform economy should also be mainstreamed in all other policy areas apart from employment and social affairs;

¹ Texts adopted, P8_TA(2017)0010.

2. Takes note of the various national and local regulatory initiatives concerning the platform economy¹; points out in this context that the growth of the platform economy, and policy reactions to it, reveal the opportunities and challenges related to the development of contracting forms of work and activities that do not easily fit into the traditional categories of subordinated and independent work;
3. Notes that there is no commonly agreed definition of the digital economy based on online platforms ('platform economy', 'collaborative economy', 'sharing economy' etc); points out that the term 'platform economy' seems to be the most objective description, and calls on the Commission to ensure the usage of coherent terminology;
4. Stresses the need for a clear distinction between 'commercial' and 'non-commercial' platforms in order to ensure a level playing field as well as a clear distinction between non-professional peer-to-peer activity at most sharing expenses and goods and service providers acting in their professional capacity; calls on the Commission to encourage the Member States to develop sector-specific definitions and thresholds, in collaboration with relevant stakeholders, in this regard; underlines the importance of recognising remunerated professional activities in the platform economy as 'work' regardless of the terminology ('gigs', 'tasks', 'giving rides', etc);
5. Calls on the Commission to examine how far existing Union rules are applicable to the digital labour market and ensure adequate implementation and enforcement; calls on the Member States, in collaboration with social partners and other relevant stakeholders, to assess, in a proactive way and based on the logic of anticipation, the need to modernise existing legislation, including social security systems, so as to stay abreast of technological developments while ensuring workers' protection; calls on the Commission and the Member States to coordinate social security systems with a view to ensuring the exportability of benefits and aggregation of periods in accordance with Union and national legislation; encourages social partners to update collective agreements where necessary so that existing protection standards can also be maintained in the digital work world;
6. Calls on the Commission and the Member States to guarantee that the developing online platform economy in the Union is socially and environmentally sustainable, respects labour rights and complies with minimum guarantees regarding platform quality;
7. Calls on the Commission to devise, with the involvement of the social partners, appropriate forms of monitoring and follow-up with regard to the platform economy;
8. Highlights that the collaborative economy has flourished mainly so far in urban areas; calls on the Commission and the Member States to take action to combat the digital divide and guarantee access for everyone without discrimination; stresses in this context the importance of deploying broadband in rural areas in order to enable all regions and people to benefit from the potential of the platform economy, especially in terms of employment; calls on the Member States to strengthen financial and human resources to enable disadvantaged persons to acquire basic digital skills;

¹ See: European Foundation for the Improvement of Living and Working Conditions (Eurofound), European Observatory of Working Life (EurWork): 'Digitalisation and working life: lessons from the Uber cases around Europe', 2016.

Employment relationship

9. States that all workers in the platform economy are either employed or self-employed based on the primacy of facts; highlights that all work in the platform economy must be classified accordingly by the Member States; stresses the need for such a clarification, also with the aim of preventing bogus self-employment and ensuring the protection of the social and labour rights of all workers in the platform economy, irrespective of their official status as employed or self-employed;
10. Notes the Commission's communication on 'A European agenda for the collaborative economy', which provides, inter alia, guidelines for characterising employment relationships in the digital labour market; notes in this context the case-law approach of the European Court of Justice defining the concept of 'worker', for the purpose of applying EU law, on the basis of an employment relationship characterised by certain criteria such as the existence of subordination, the presence of remuneration, and the nature of work¹; calls on the Commission to cooperate with all Member States to clarify what constitutes an 'employment relationship' in the context of work intermediated by online platforms, taking into account ILO Recommendation No 198 regarding the determination of an employment relationship;
11. Stresses that all workers need to enjoy adequate protection and security in terms of working conditions, wages, social protection and health and safety, and that the quality of their employment has to be guaranteed at all times, irrespective of whether they perform their work through a platform or not;
12. Reiterates its call for a European Pillar of Social Rights in order to ensure decent working conditions for all, including platform workers; underlines the need to involve social partners and other relevant stakeholders in such an exercise; stresses the need to ensure that all platform workers must enjoy the same social and employment rights, the same health and safety protection, and the same access to lifelong learning as workers in the traditional economy, in line with national law and practice, while encouraging innovation, promoting sustainable and inclusive growth, and guaranteeing a level playing field for businesses;
13. Notes the need to ensure that self-employed workers and professionals who work for platform companies receive professional-level pay and are guaranteed secure time-frames for payment;
14. Stresses the importance of teleworking and smartworking in connection with the collaborative economy, and advocates, in this regard, the need to place these ways of working on an equal footing with traditional ones;

Collective bargaining and competition law

15. Stresses that the freedom of association and collective action, including collective bargaining, are fundamental rights which must apply to all workers, whether they are employees or self-employed; points out that self-employed individuals who are legally considered a sole-member company should have the right to freely associate in order not

¹ See: ECJ C 596/12, paragraph 17 and ECJ C 232/09, Paragraph 39.

to be considered as forming a cartel; calls, in this context, on the Commission and the Member States to assess European and national competition law and make adjustments where necessary; calls on the Commission to support the Member States and the social partners in increasing collective bargaining coverage in line with national law and practice and empowering workers in the platform economy;

Level playing field

16. Stresses that potential efficiency advantages of online platforms over the traditional economy should be grounded in fair competition, not wage dumping; stresses that with a view to ensuring a level playing field between the platform economy and traditional businesses, especially SMEs, the platform economy like any other economy, must pay taxes and social contributions and comply with employment and social legislation; underlines the need to adjust related policies accordingly where necessary;
17. Calls on the Commission to publish guidelines on how Union law applies to the various types of platform business models in order where necessary to fill regulatory gaps in the area of employment and social security; believes that the high transparency potential of the platform economy permits good traceability, in line with the aim of enforcing existing legislation; calls on the Member States to carry out sufficient labour inspections with regard to online platforms and to impose sanctions where rules have been breached, especially in terms of working and employment conditions, as well as specific requirements regarding qualifications; calls on the Commission and the Member States to pay special attention to undeclared work and bogus self-employment in this sector, and to put the platform economy on the agenda of the European Platform Tackling Undeclared Work; calls on the Member States to provide sufficient resources for inspections;
18. Recalls that all platform operators must perform their activities in strict compliance with Union and national legislation; calls for anti-dumping measures to ensure fair competition between platforms based in Member States and platforms based in third countries; stresses the need for effective rules to tackle tax avoidance by online platforms based in third countries providing services or selling goods in the Union;
19. Stresses the need to better address the social dimension of the platform economy; calls, therefore, on the Commission and the Member States, in line with Union law on data protection and in cooperation with social partners, to gather more reliable and comprehensive data on jobs and employment profiles, working and employment conditions, including information on incomes, and skills, qualifications and activities in the platform economy; considers it useful for such data also to be based on interviews with platform workers and information collected by the platforms; calls for an in-depth analysis of work in the platform economy with a view to adjusting existing labour and social legislation where necessary; underlines the importance of best practice exchanges between Member States in this context;
20. Calls on the Member States to ensure adequate social security for self-employed workers, who are key players in the digital labour market; calls on the Member States to adapt existing social protection schemes and to develop new mechanisms of protection, where necessary, to ensure adequate coverage for platform workers as well as non-discrimination and gender equality, reflecting the particular working and career patterns shaped by digitalisation, and to share best practices at European level;

21. Calls on the Commission to examine how far the directive on temporary agency work is applicable to specific online platforms; considers that many intermediating online platforms are structurally similar to temporary work agencies (triangular contractual relationship between: temporary agency worker/platform worker; temporary work agency/online platform; user undertaking/client);
22. Calls on the national public employment services and the EURES network to communicate better on the opportunities offered by the collaborative economy;
23. Recognises that the platform economy can be used for social purposes; calls on the Commission and the Member States to promote social economy models in the platform economy, with particular reference to platforms organised following a corporative model, and to exchange best practices in this regard, given that social enterprises have proven to be resilient during times of economic crisis;

Skills requirements

24. Underlines that digital competences are of the utmost importance for keeping up with the ongoing digitalisation of all aspects of life; calls on the Member States to adapt their education and training systems to the digital labour market, linking the world of education with the world of work, including fostering of entrepreneurship; points out that as job and skills profiles become more complex, new demands – especially regarding information and communications technology (ICT) skills – are being placed on training as well as on further education and lifelong learning with a view to promoting digital literacy and tackling the existing gender and generational gaps in this context;
25. Emphasises the importance of stronger synergies involving social partners and different educational and training institutions in order to bring teaching and study materials up to date and develop skills strategies; encourages Member States to include digital training in their school curricula from an early age; insists that public investment in vocational education and lifelong learning is necessary to ensure that workers are equipped with the right skills for the digital age; stresses that education and training must be accessible for all workers; believes that new funding opportunities for lifelong learning and training are needed, especially for micro and small enterprises;

Reporting duties and transparency obligations for platform operators

26. Calls for standards on transparency and disclosure obligations for platform operators in order to monitor tax payments, social security contributions and practices regarding the rating of work on platforms and ensure that all relevant information is available to national authorities; encourages the Member States to facilitate the self-reporting obligations of platform workers with simplified tax declarations and to work with online platforms to communicate recorded electronic transactions in order to help combat tax evasion and undeclared work;
27. Notes the concentration of data generated by users in the hands of online platforms, and calls on the Commission and the Member States to ensure the proper functioning of the Digital Single Market and to put in place adequate safeguards for the privacy of users and workers as well as the collection of data;

28. Underlines that consumers should enjoy a high and effective level of protection, regardless of whether services are provided by professionals or peers; highlights, in particular, the importance of protecting consumers in peer-to-peer transactions and looking for solutions which improve security;
29. Emphasises that the economic model of the platform economy is based on users' trust, particularly in online ratings; recalls that ratings of platform workers constitute their digital market value for users; stresses, therefore, the need for platforms to develop certification tools for online ratings in order to ensure the transparency and reliability of information on the quality of services; calls, therefore, on the Commission and the Member States in cooperation with social partners, to facilitate the transferability and accumulation of ratings across platforms in equivalent services;
30. Notes the potential for unfair practices regarding online ratings which may affect the working conditions and entitlements of platform workers and their ability to obtain jobs; is concerned that an arbitrary number of negative client reviews, which may not necessarily reflect work quality and which cannot be challenged, can lead to account deactivation or search result relegation by platforms; considers that any such rating system developed by a platform should be established in consultation with the workers and their representatives; calls on platforms to notify and provide an arbitration process for platform workers before taking action as a result of ratings scores; highlights that all platform workers should have the right to have unjustified ratings removed; calls on the Commission and the Member States, in collaboration with the social partners, to ensure that workers and users are also able to rate online platforms;
31. Calls on the Commission and the Member States to take decisive steps to prohibit discriminatory and opaque algorithms and software developed or used by online platforms which do not comply with European and national legislation, and to set up monitoring structures to this end;
32. Believes it necessary to take action to enable Member State governments to impose limits on the scope of action of such platforms, in the public interest;
33. Calls on the Commission, the Member States and social partners to provide adequate information to platform workers on working and employment conditions and workers' rights, and on their working relationships with both platforms and users; considers that platforms should play a proactive role in providing information to users and workers regarding the applicable regulatory framework with a view to fulfilling legal requirements;

Health and safety

34. Notes that the platform economy offers new opportunities for people to earn an additional income, for the employment of young people (in particular those seeking casual work and flexible forms of employment allowing them to combine work with study), for the better reconciliation of work and private life, for the reduction of underemployment and unemployment, and for collaborative work; points out, however, that, in some circumstances such developments can also lead to precarious situations; stresses that flexible employment must be covered by existing health and safety provisions, as well as by social protection measures, in order to avoid long-term social and financial

implications, and must exclude potential risks such as worker overload and pay levels that are not commensurate with performance; highlights, therefore, the need for labour market flexibility, on the one hand, and for economic and social security for workers on the other; stresses that reducing costs should not mean undermining working conditions or employment standards;

35. Calls on the Commission to produce a study on the effects of digitalisation on workers' wellbeing and work-life balance as well as the societal and environmental consequences; underlines that work in the platform economy should not lead to permanent availability, erosion of traditional working time arrangements, or social isolation which may cause psycho-social conditions such as burnout or depression; advocates, therefore, full compliance with the prescribed rest times, and stresses the need to respect working time arrangements in order to maintain the boundaries of working time as defined by the labour laws of the individual Member States; underlines that the effects of digitalisation on health and safety at work need to be assessed and the provisions of the existing health and safety framework adapted accordingly; recommends that Member States establish a 'right to log off' for work outside the agreed working hours, as a measure for ensuring a good balance between professional and private life; stresses that claiming such a right must not have any negative impact on the rating of platform workers;
36. Stresses that professional service providers in the digital economy must fulfil the same quality, skills and qualification requirements as in the traditional economy, so as to avoid health and safety risks; calls on the relevant authorities, in cooperation with social partners, to develop appropriate monitoring and certification procedures;
37. Recalls that the flexibility, volatility and instability characterising jobs of this kind pass the risks of the market on to workers, and that they therefore give rise to greater social inequality and cause a higher incidence of psychological morbidity than do other jobs; stresses that the sector does not provide sufficient numbers of jobs for the unemployed, the most excluded groups in society or people in rural areas, owing to barriers such as the digital divide or a lack of technological skills.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	22.3.2017
Result of final vote	+: 38 -: 1 0: 8
Members present for the final vote	Mara Bizzotto, Enrique Calvet Chambon, David Casa, Ole Christensen, Lampros Fountoulis, Marian Harkin, Rina Ronja Kari, Jan Keller, <i>Ádám Kósa</i> , Jean Lambert, Jérôme Lavrilleux, Patrick Le Hyaric, Jeroen Lenaers, Javi López, Thomas Mann, Anthea McIntyre, Emilian Pavel, Georgi Pirinski, Marek Plura, Dominique Martin, Joëlle Mélin, Terry Reintke, Sofia Ribeiro, Robert Rochefort, Maria João Rodrigues, Claude Rolin, Anne Sander, Sven Schulze, Jutta Steinruck, João Pimenta Lopes, Romana Tomc, Yana Toom, Marita Ulvskog, Renate Weber, Tatjana Ždanoka, Jana Žitňanská
Substitutes present for the final vote	Maria Arena, Georges Bach, Tania González Peñas, Krzysztof Hetman, Marju Lauristin, Edouard Martin, Alex Mayer, Joachim Schuster, Jasenko Selimovic, Neoklis Sylikiotis, Michaela Šojdrová

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

38	+
ALDE	Enrique Calvet Chambon, Marian Harkin, Robert Rochefort, Jasenko Selimovic, Yana Toom, Renate Weber
ECR	Anthea McIntyre, Jana Žitňanská
EPP	Georges Bach, David Casa, Krzysztof Hetman, Ádám Kósa, Jérôme Lavrilleux, Jeroen Lenaers, Thomas Mann, Marek Plura, Sofia Ribeiro, Claude Rolin, Anne Sander, Sven Schulze, Michaela Šojdrová, Romana Tomc
S&D	Maria Arena, Ole Christensen, Jan Keller, Marju Lauristin, Javi López, Edouard Martin, Alex Mayer, Emilian Pavel, Georgi Pirinski, Maria João Rodrigues, Joachim Schuster, Jutta Steinruck, Marita Ulvskog
Green/EFA	Jean Lambert, Terry Reintke, Tatjana Ždanoka

1	-
NI	Lampros Fountoulis

8	0
ENF	Mara Bizzotto, Dominique Martin, Joëlle Mélin
GUE/NGL	Tania González Peñas, Rina Ronja Kari, Patrick Le Hyaric, João Pimenta Lopes, Neoklis Sylikiotis

Key to symbols:

+ : in favour

- : against

0 : abstention

24.3.2017

OPINION OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY

for the Committee on the Internal Market and Consumer Protection

on a European agenda for the collaborative economy
(2017/2003(INI))

Rapporteur for the opinion (*): Dario Tamburrano

SUGGESTIONS

The Committee on Industry, Research and Energy calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Welcomes the Commission communication entitled ‘A European Agenda for the collaborative economy’, which recognises that collaborative economies offer innovative ways to provide new services for citizens, foster entrepreneurship and create jobs; recognises the fact that all collaborative economies are rooted in human cooperative behaviour, are founded on peer-to-peer relationships, community and trust and have benefited from socio-economic developments, including the shift from the need-to-own to the need-to-use and share assets model; acknowledges that currently collaborative economies tend to cover a wider spectrum, ranging from gift-based to for-profit economic models and, no matter how diverse they are, or will become, are identified by resource sharing, active participation and empowerment of citizens, community-accepted innovation, and the intensive use of information and communication technologies (ICTs) as a key enabler;
2. Considering the multi-dimensional nature of collaborative economies, points out the need for distinguishing between ‘for-profit’ and ‘not-for-profit’ (including cost-sharing) models, as their respective participants, whether users or service providers, should not be subject to the same legal requirements;
3. Emphasises that collaborative economies can offer many opportunities for investments and prosperity in the European market, including jobs for people who are distant from the labour market, such as the unemployed, young people, students, women and senior citizens; notes in this regard, the possibility of atypical employment relationships, including ‘bogus’ self-employment, which should be identified so as to ensure the fair application of the relevant labour and taxation standards; underlines that collaborative economies foster entrepreneurship; stresses the need to adapt training policies to these new kinds of businesses;
4. Emphasises that ICTs allow innovative ideas within the collaborative economy to evolve

quickly and efficiently, while connecting and empowering participants, whether users or service providers, facilitating their access to the market and their engagement within it, making remote and rural areas more accessible, thus reducing the need for intermediation, decreasing direct costs and overheads, channelling rich information flows and reinforcing trust between peers;

5. Recognises the potential of user-generated data, services and creative content for European businesses, while pointing out the possible risks associated with their concentration in a small number of transnational digital platforms, which can act as new intermediaries, potentially distorting the market and hindering the development of local initiatives in the collaborative economy; calls, therefore, on the Commission to reflect on the appropriate means for preventing the abuse of dominant market positions that could affect the EU digital market;
6. Believes that, for a platform to be considered collaborative, it is vital that exchanges of goods and services take place primarily between equal partners; warns in this regard against the proliferation on the ‘collaborative economy’ ticket of platforms acting as actual service providers rather than just intermediaries;
7. Emphasises that collaborative economies are based on trust, particularly online comments, ratings, and reputational systems or other mechanisms which can discourage harmful behaviour by participants, reduce information asymmetries and contribute to higher quality and transparency of services; warns, however, of the need to prevent these mechanisms from leading to the establishment of unjustified barriers for participants entering or exiting these platforms and that self-regulation alone, including quality labels, may not be enough to achieve safety and service quality standards; in this regard, encourages the Commission to create a level playing field among collaborative platforms by:
 - (a) continuing its work on the free flow of data and interoperability between market platforms and encouraging data portability;
 - (b) proposing ways to authenticate online consumer opinions;
 - (c) ensuring that platforms: i) provide comprehensive information on the regulatory framework that service providers should comply with, and ii) play a more proactive role in checking whether service providers fulfil their legal requirements;
8. Underlines that the sharing of assets optimises their use and releases a wealth of positive environmental and socio-economic externalities, thus making industries and services more resource-efficient, lowers the up-front costs of market entry and creates community-based opportunities benefiting enterprises and empowering individual citizens participating in the collaborative economy; in this regard, emphasises that the sharing of assets, in line with the Union’s objectives on sustainable and inclusive growth, should be promoted;
9. Points to how the introduction of 5G will fundamentally transform the logic of our economies, making services more diverse and accessible; in this regard, stresses the importance of creating a competitive market for innovative businesses, the success of which will ultimately define the strength of our economies;

10. Highlights the potential collaborative economy contribution to EU economic sustainability in achieving overarching objectives in sustainable agriculture, resource efficiency, combating climate change and building a circular economy;
11. Points out that collaborative economies thrive particularly in communities in which knowledge- and education-sharing models are strong, thereby catalysing and consolidating a culture of open innovation, supporting open-sourced hardware and software, and expanding our heritage of common goods and creative commons; stresses that, in view of their potential in encouraging the creative and innovative capital of European citizens, collaborative economies should remain open and accessible to all individuals while ensuring a fair remuneration for cultural and creative workers and researchers;
12. Recognises that collaborative economies have flourished mainly in urban areas where conditions such as population density and physical proximity favoured the adoption of collaborative models; in this regard, stresses the importance of the development of coherent policies and the deployment of broadband and ultra-broadband in order to enable all Union territories, especially those which are less populated, remote or rural, to benefit from the potential of these economies;
13. Urges the Commission and the Member States to ensure better coordination, together with relevant stakeholders, for achieving high standards regarding: (a) workers' rights and social protection for all workers in collaborative economies; (b) safety guarantees for the users of collaborative economies; (c) development of collaborative economies and cohabitation synergies with traditional business models; (d) enforcement of protection of personal data so as to ensure the privacy of all workers and the secrecy of consumer data;
14. Calls on the Commission, inter alia, to further study the socio-economic impacts of collaborative business employment, consumer protection, social protection and relevant public policies like spatial planning and tourism;
15. Calls on the Commission to make it easier for Member States to ensure adequate social protection for both employees and the self-employed in sharing economies, while insisting that the Commission must respect the social partners' autonomy at the national level, national collective agreements and national labour market traditions and models, and refrain from taking initiatives that may affect the right to negotiate, conclude and enforce collective agreements and to take collective action in accordance with national law and practice;
16. Calls on the Commission to further study the extent to which collaborative economies are covered by the regulatory framework of individual Member States and existing EU provisions with a view to creating, if and where needed, a harmonised approach for collaborative economies on a Union level in full compliance with the principle of subsidiarity; in this context, points to the positive experiences in regulation made on local level guided in general by the principles of information transparency, participation, inclusion and good governance;
17. Calls on the Commission and Member States to ensure that EU legislation and policies are future-proof and provide legal stability and certainty in order to unleash the full potential of collaborative economies for employees, businesses and citizens in the EU, with

particular regard to:

- a) defining sector-specific criteria and thresholds, where necessary, and in those definitions clearly distinguishing between the concepts of ‘work/service’, ‘employee’ and ‘self-employed’, ‘non-professional peer-to-peer activity’ and ‘service provider’, ‘for profit’ and ‘not-for-profit’ (including cost-sharing) activities;
 - b) ensuring a level playing field for EU businesses and citizens, particularly by ensuring the application of, inter-alia, functionally similar legal standards for similar economic actors on consumer protection, workers’ rights, tax compliance and transparency;
 - c) opening non-exclusive, experimentation-oriented spaces and fostering digital connectivity and literacy, supporting European entrepreneurs, start-ups and incentivising Industry 4.0, innovation hubs, clusters and incubators; is of the opinion that this should be achieved by making the best use of relevant legislation and without over-regulating, while respecting Member States’ prerogative on the matter, including respecting the autonomy of the social partners and national practices, as well as the guidance given by the European Court of Justice on the concepts of ‘work/service’, ‘worker’ and ‘service provider’ recalling that the concept of the worker comes under national competences;
18. Underlines that collaborative economies are an ecosystem which needs support for its fast-growing development and scaling-up and which needs to remain open to research, innovations and new technologies in order to attract investments; calls on the Commission and Member States to make full use of existing financing instruments to invest in collaborative businesses and to promote initiatives to ease access to financing, especially for start-ups, small and medium-sized enterprises and businesses in the economy throughout the Union, through different channels such as banking, risk capital, public funds, and crowd-funding;
 19. Stresses that national and local rules that are not justified and proportionate not only constitute barriers to the single market contrary to EU legislation but also hinder the creation and scale up of start-ups; calls therefore on the Commission to enforce single market legislation in a proactive manner;
 20. Points out that collaborative economies are increasingly important in the energy sector, allowing consumers, producers, individuals and communities to engage efficiently in several decentralised phases of the renewable energy cycle, including self-production and self-consumption, storage and distribution, in line with the climate and energy objectives of the Union;
 21. Advocates treating the spectrum as a common good and encourages the inclusion of innovative user driven initiatives in the regulation that would boost the collaborative and sharing economy;
 22. Calls on the Commission to support the economic growth of the collaborative economy with measures aimed at reducing the administrative burden on individuals and businesses without discriminating between business models.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	22.3.2017
Result of final vote	+: 53 -: 4 0: 2
Members present for the final vote	Nikolay Barekov, Bendt Bendtsen, Xabier Benito Ziluaga, José Blanco López, Cristian-Silviu Buşoi, Reinhard Bütikofer, Jerzy Buzek, Angelo Ciocca, Edward Czesak, Pilar del Castillo Vera, Fredrick Federley, Ashley Fox, Adam Gierek, András Gyürk, Rebecca Harms, Eva Kaili, Kaja Kallas, Krišjānis Kariņš, Seán Kelly, Peter Kouroumbashev, Zdzisław Krasnodębski, Miapetra Kumpula-Natri, Janusz Lewandowski, Paloma López Bermejo, Edouard Martin, Dan Nica, Angelika Niebler, Morten Helveg Petersen, Michel Reimon, Herbert Reul, Paul Rübig, Massimiliano Salini, Algirdas Saudargas, Neoklis Sylikiotis, Dario Tamburrano, Evžen Tošenovský, Claude Turmes, Vladimir Urutchev, Kathleen Van Brempt, Henna Virkkunen, Martina Werner, Lieve Wierinck, Anna Záborská, Flavio Zanonato, Carlos Zorrinho
Substitutes present for the final vote	Mario Borghesio, Soledad Cabezón Ruiz, Jens Geier, Françoise Grossetête, Benedek Jávor, Constanze Krehl, Olle Ludvigsson, Sofia Sakorafa, Anne Sander, Maria Spyraki, Marco Zullo
Substitutes under Rule 200(2) present for the final vote	Isabella Adinolfi, Arndt Kohn, Pavel Poc

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

53	+
ALDE	Fredrick Federley, Kaja Kallas, Morten Helveg Petersen, Lieve Wierinck
ECR	Nikolay Barekov, Edward Czesak, Ashley Fox, Zdzisław Krasnodębski, Evžen Tošenovský
EFDD	Isabella Adinolfi, Dario Tamburrano, Marco Zullo
EPP	Bendt Bendtsen, Jerzy Buzek, Cristian-Silviu Buşoi, Françoise Grossetête, András Gyürk, Krišjānis Kariņš, Seán Kelly, Janusz Lewandowski, Angelika Niebler, Herbert Reul, Paul Rübzig, Massimiliano Salini, Anne Sander, Algirdas Saudargas, Maria Spyraki, Vladimir Urutchev, Henna Virkkunen, Anna Záborská, Pilar del Castillo Vera
S&D	José Blanco López, Soledad Cabezón Ruiz, Jens Geier, Adam Gierek, Eva Kaili, Arndt Kohn, Peter Kouroumbashev, Constanze Krehl, Miapetra Kumpula-Natri, Olle Ludvigsson, Edouard Martin, Dan Nica, Pavel Poc, Kathleen Van Brempt, Martina Werner, Flavio Zanonato, Carlos Zorrinho
VERTS/ALE	Reinhard Bütikofer, Rebecca Harms, Benedek Jávor, Michel Reimon, Claude Turmes
4	-
GUE/NGL	Xabier Benito Ziluaga, Paloma López Bermejo, Sofia Sakorafa, Neoklis Sylikiotis
2	0
ENF	Mario Borghezio, Angelo Ciocca

Key to symbols:

+ : in favour

- : against

0 : abstention

11.4.2017

OPINION OF THE COMMITTEE ON TRANSPORT AND TOURISM

for the Committee on the Internal Market and Consumer Protection

on a European agenda for the collaborative economy
(2017/2003(INI))

Rapporteur: Merja Kyllönen

SUGGESTIONS

The Committee on Transport and Tourism calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Welcomes the emergence of the collaborative economy in transport and tourism and hospitality services, acknowledging that, with an appropriate, simple and clear regulatory framework in place, it has potential to:
 - a) provide greater choice, affordability and more varied services to customers, increasing and diversifying both the demand and supply sides;
 - b) boost new forms of cooperative exchanges between citizens in the EU, as well as economic growth, jobs and entrepreneurial opportunities, especially for small and medium-sized enterprises across Europe;
 - c) make a positive impact on the mobility of people with disabilities and the active promotion of sustainable forms of mobility;
 - d) improve the inclusion of people who may have been traditionally excluded from the labour market;
2. Recognises the positive impacts of the collaborative economy on the rapidly growing tourism sector, bolstering individual earning opportunities and local economies, and providing tools to respond better to demand, e.g. during peaks in demand and in remote areas, and also reflecting the varying preferences of travellers, especially those with lower incomes; notes that the level of customer satisfaction with collaborative economy tourism services is high; is of the opinion that the collaborative economy should be fully incorporated into the EU's tourism policy; highlights the need to foster a beneficial coexistence between traditional tourist services and the collaborative economy;

3. Urges the Commission to come up with appropriate measures to tackle the challenges that arise when European consumers use online platforms headquartered outside the EU, in non-European cultural and regulatory contexts, particularly with regard to data protection, health and safety, taxation and employment laws;
4. Recalls that, according to Commission estimates, peer-to-peer accommodation is the largest collaborative economy sector on the basis of generated commerce, while peer-to-peer transportation is the largest measured by platform revenue;
5. Highlights that in the tourism sector home-sharing represents an excellent use of resources and under-used space, especially in areas that do not traditionally benefit from tourism;
6. Condemns, in this regard, the regulations being imposed by some public authorities, which seek to restrict the supply of tourist accommodation via the collaborative economy;
7. Welcomes the opportunities the collaborative economy offers for flexible working hours that fit around other commitments, helping to bring people left out of the workplace back into employment;
8. Notes that the Member States' response to the development of collaborative business models has so far been very fragmented, which creates uncertainty and in some instances, opens up scope for protectionist measures; welcomes, in this regard, the Commission communication on 'The European agenda for the collaborative economy' and the attempt to define the collaborative economy, but regrets that it fails to endeavour to create an explicit harmonised legal framework for the collaborative economy across the European Union and to examine how existing legislation addresses the needs of the collaborative economy; recalls, therefore, the need for an in-depth analysis (including the macroeconomic, social and environmental implications of the collaborative economy), followed, if necessary, by 2018 at the latest, with proportionate regulatory steps from the Commission;
9. Stresses the need for harmonisation between the collaborative economy and traditional economic forms in the fields of training, professional qualifications and fiscal and social obligations;
10. Regrets that the legislation currently in force, notably 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 Market¹ and Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market², is not being correctly implemented; calls on the Commission and the Member States to ensure that the legislation that is applied to collaborative economy models does not breach EU legislation and the principles of the internal market;
11. Points out that the collaborative economy makes a significant contribution to the sustainability of the tourism and transport sectors, making it possible to optimise existing resources by deploying underused assets and developing new services and products

¹ OJ L 178, 17.7.2000, p. 1.

² OJ L 376, 27.12.2006, p. 36.

without large-scale investment; points out, moreover, that it encourages citizens to participate in these sectors and helps to ensure that the benefits of tourism are spread across all regions, including the outermost, mountain and rural regions;

12. Emphasises that, in the context of the collaborative economy, the regulatory framework should preferably be on a sectoral basis and strive to put the customer at the centre of the activities, ensure fair competition, foster innovations and contribute to the overall development and fulfilment of the EU transport policy goals, such as transport decarbonisation, reduction of pollutants and noise, territorial cohesion, affordability, accessibility and safety; stresses that the issues related to consumer protection, liability allocation, tax compliance, insurance schemes, social protection of workers (whether they are employed or self-employed), disability rights and data protection are the most urgent ones, and encourages, consequently, the Commission and the Member States to enforce existing legislation as well as to propose additional legislation, based on proper assessments, if deemed necessary; urges the Commission and the Member States to coordinate, on the basis of improved measures, the initiatives and best practises related to the collaborative economy in order to foster the positive development of this sector in Europe;
13. Expects that the Commission will provide further guidance to the Member States to avoid fragmentation and encourage the Member States to share best practices and reduce the legislative burden; highlights that, in many cases, the collaborative economy applies self-regulatory measures and facilitates trust mechanisms among consumers; emphasises that a regulatory framework should be adequate (by taking into account whether services are provided by professionals or peers) and should not hamper innovation by creating burdensome obstacles to entrepreneurship in the EU;
14. Notes that the collaborative economy is also challenging for the labour market, employment schemes and entrepreneurship, having both advantages and downsides; urges the Member States to encourage the creation of new jobs and good quality earning opportunities in the collaborative economy, addressing especially those who have been traditionally excluded from the labour market and by ensuring fair working conditions and employment relations and compliance with workers' rights; encourages cooperation among all stakeholders, assuming their responsibilities, in parallel with regulatory intervention, if needed; urges the Commission and the Member States to assess whether workers in the collaborative economy are properly covered by the social security framework;
15. Emphasises that the economic model of collaborative economies is based on users' trust, particularly in online comments; stresses the importance of allowing users to have access to reliable and fair information on the quality of the services offered on collaborative platforms;
16. Calls on the Commission and the Member States to ensure fairness and transparency between those working in the collaborative economy and traditional economic operators, and to ensure a high level of consumer protection, particularly as regards aspects related to safety, security, health, protection of privacy and accurate information;
17. Recalls the potential of collaborative economy models to improve significantly the efficiency of the transport system and, through the use of existing capacity, make remote

areas more accessible and reduce undesired externalities of traffic such as congestion and emissions; calls on the relevant authorities to promote the beneficial coexistence of collaborative transport services and the conventional transport system, including in local mobility planning, information and ticketing schemes and to avoid administrative systems or legislative measures which might lead to exclusion of collaborative transport services from transport planning and operations in order to enable the creation of smooth complete door-to-door travel chains and to foster sustainable mobility; emphasises that the combination of the collaborative economy and public transport offers great scope for connecting people and areas, in particular those that have been poorly connected in the past;

18. Underlines that, in line with the wider digitisation of Europe's transport services, high-speed wireless and fixed connectivity is essential for the further development of the collaborative economy;
19. Calls for the conditions governing independent service provision in regulated sectors, such as urban and inter-urban passenger road transport, to be overhauled to establish a single regulatory framework combining the conditions of access to the profession in compliance with EU law with a regime that ensures continuous and stable provision of services, so as to avoid situations of unfair competition;
20. Believes that collaborative business models constitute a major resource for the sustainable development of connections in outlying, mountainous and rural regions, while these areas are not naturally conducive to the development of the collaborative economy;
21. Welcomes the fact that the digital revolution has enabled seamless multimodal ticketing and travel in a single journey for transport users with collaborative economy apps;
22. Invites the Commission to integrate the collaborative economy into its work on new technologies in transport (connected vehicles, autonomous vehicles, integrated digital ticketing, intelligent transport systems) because of their strong interactions and natural synergies;
23. Stresses, in the field of transport, the significant contribution of the collaborative economy to safety and security (clear identification of the parties, reciprocal evaluation, trusted third parties, verification of the specifications);
24. Points out that the great diversity of collaborative economy models, products and services in different sectors makes it difficult to classify the activities; stresses, however, the need to clearly distinguish in EU terminology between intermediation platforms which generate no profit for their users and those which connect a service provider (for-profit) and a customer, with or without an employer-employee relationship between service provider and platform, to facilitate compliance by all parties with their fiscal and social obligations and to ensure consumer protection; calls on the Commission also to clarify the EU terminology related to car-pooling, car-sharing and ride-sharing services to ensure their appropriate classification in terms of EU transport policy; urges the Commission to come up with proposals to adapt Union legislation if needed; urges the Commission to launch a study on the role of thresholds in the collaborative economy and on the need to standardise the procedures needed for the undertaking of professional activities;

25. Calls on the Member States to establish measures and exchanges of best taxation practices to reduce the possibility of the occurrence of grey economy activities and tax avoidance in accordance with collaborative economy services; underlines the potential of collaborative platforms to improve tax transparency through the use of electronic payment methods and encourages, furthermore, the development of appropriate advanced tax payment solutions in the collaborative economy without creating unnecessary obstacles; urges the Member States to clarify what they consider as taxable profit and tax-exempt activities, such as cost-sharing, and recalls that taxes should be paid and social protection obligations fulfilled in compliance with the national laws of the place where the profits are generated;
26. Calls for barrier-free accessibility to ensure that the elderly and people with disabilities can also have access to the various resources available in the collaborative service economy;
27. Welcomes the fact that intermediation platforms have brought into play new market dynamism by challenging each other, existing operators and corporatist structures, and by undermining existing monopolies and preventing new ones; recognises, however, that without an appropriate and clear legal framework there might be a potential risk of intermediation platforms creating dominant market positions, harming the diversity of the economic ecosystem; asks therefore the Member States and the Commission to monitor the development of the market and the economic and social implications, to address clear market failures, and, if needed, to propose measures in order to ensure the competitiveness of European companies in the European market and to establish favourable market conditions for micro, small and medium-sized enterprises;
28. Notes that the digitalisation and the free flow of data are one of the most fundamental tools when reforming the transport and tourism sectors and recognises the significance of the ownership and access to the data; calls, therefore on the Commission to publish without any further delay, a roadmap to the liberation of the publicly funded transport data and harmonized standards in order to boost data-intensive innovations and provisions of the new services; stresses the importance to guarantee the free flow of data, data portability and interoperability between the market platforms;
29. Recognises the role that collaborative platforms' self-governing capacities can play in diminishing the problems caused by information asymmetry and correcting other market failures; highlights that, in many cases, the collaborative economy applies self-regulatory measures and facilitates trust mechanisms among consumers: asks the Commission, the Member States and local authorities to explore the possibilities of encouraging the free flow of data by creating possible administrative derogations for the companies which provide sufficient data for the delivery of public policy objectives to be monitored; underlines the need to support the growth of the collaborative economy by measures aimed at reducing the administrative burden on individuals and businesses and ensuring access to finance, including crowd-funding;
30. Stresses that, while online intermediaries are both subject to and need to comply with all laws of the European Union, including consumer protection and competition, the liability safe harbours for intermediaries are essential for the protection of the openness of the internet, fundamental rights, legal certainty and innovation in the transport sector;
31. Supports the rapid development of the collaborative economy and urges the Commission

to carry out studies observing the market dynamic and assessing the economic and social impact of the collaborative economy on the tourism and transport sectors;

32. Takes the view that start-ups in the tourism and transport sectors should be supported, in particular through training; stresses the need for specific training to enable professionals to develop e-skills geared to collaborative economy models, taking account of the new requirements and consumer expectations;
33. Calls on the Commission, the Member States and local authorities to engage with relevant representatives of the collaborative economy, service users and providers and, where relevant, NGOs and trade unions, in the stakeholders' dialogue and impact assessment procedures in order to ensure proper integration and development opportunities for collaborative economy services; calls on the Commission, in this regard, to use as an example the series of workshops held by DG Growth on short-term accommodation rental services, in order to facilitate the exchange between representatives of national and EU institutions, industry and civil society and to provide guidance for national regulations inspired by best practices in the field of collaborative transport services on issues such as the improvement of market access, urban mobility or tax transparency.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	11.4.2017
Result of final vote	+: 39 -: 7 0: 0
Members present for the final vote	Daniela Aiuto, Lucy Anderson, Inés Ayala Sender, Georges Bach, Izaskun Bilbao Barandica, Deirdre Clune, Michael Cramer, Luis de Grandes Pascual, Andor Deli, Isabella De Monte, Ismail Ertug, Jacqueline Foster, Dieter-Lebrecht Koch, Merja Kyllönen, Miltiadis Kyrkos, Bogusław Liberadzki, Peter Lundgren, Marian-Jean Marinescu, Cláudia Monteiro de Aguiar, Jens Nilsson, Markus Pieper, Salvatore Domenico Pogliese, Tomasz Piotr Poręba, Gabriele Preuß, Christine Revault D'Allonnes Bonnefoy, Dominique Riquet, Massimiliano Salini, David-Maria Sassoli, Claudia Schmidt, Claudia Țapardel, Keith Taylor, Pavel Telička, István Ujhelyi, Peter van Dalen, Wim van de Camp, Elissavet Vozemberg-Vrionidi, Janusz Zemke, Roberts Zīle, Kosma Złotowski, Elżbieta Katarzyna Łukacijewska
Substitutes present for the final vote	Jakop Dalunde, Kateřina Konečná, Matthijs van Miltenburg, Henna Virkkunen
Substitutes under Rule 200(2) present for the final vote	John Stuart Agnew, Jiří Maštálka

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

39	+
ALDE	Izaskun Bilbao Barandica, Dominique Riquet, Pavel Telička, Matthijs van Miltenburg
EFDD	Daniela Aiuto
GUE/NGL	Kateřina Konečná, Merja Kyllönen, Jiří Maštálka
PPE	Georges Bach, Deirdre Clune, Andor Deli, Dieter-Lebrecht Koch, Elżbieta Katarzyna Łukacijewska, Marian-Jean Marinescu, Cláudia Monteiro de Aguiar, Markus Pieper, Salvatore Domenico Pogliese, Massimiliano Salini, Claudia Schmidt, Henna Virkkunen, Elissavet Vozemberg-Vrionidi, Luis de Grandes Pascual, Wim van de Camp
S&D	Lucy Anderson, Inés Ayala Sender, Isabella De Monte, Ismail Ertug, Miltiadis Kyrkos, Bogusław Liberadzki, Jens Nilsson, Gabriele Preuß, Christine Revault D'Allonnes Bonnefoy, David-Maria Sassoli, Claudia Tapardel, István Ujhelyi, Janusz Zemke
VERTS/ALE	Michael Cramer, Jakop Dalunde, Keith Taylor

7	-
ECR	Jacqueline Foster, Tomasz Piotr Poręba, Roberts Zīle, Kosma Złotowski, Peter van Dalen
EFDD	Peter Lundgren, John Stuart Agnew

0	0
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Key to symbols:

+ : in favour

- : against

0 : abstention

INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

Date adopted	3.5.2017						
Result of final vote	<table style="width: 100%; border: none;"> <tr> <td style="width: 100px;">+:</td> <td style="text-align: right;">31</td> </tr> <tr> <td>-:</td> <td style="text-align: right;">1</td> </tr> <tr> <td>0:</td> <td style="text-align: right;">3</td> </tr> </table>	+:	31	-:	1	0:	3
+:	31						
-:	1						
0:	3						
Members present for the final vote	Dita Charanzová, Carlos Coelho, Sergio Gaetano Cofferati, Daniel Dalton, Nicola Danti, Dennis de Jong, Vicky Ford, Evelyne Gebhardt, Sergio Gutiérrez Prieto, Liisa Jaakonsaari, Philippe Juvin, Antonio López-Istúriz White, Morten Løkkegaard, Eva Maydell, Marlene Mizzi, Jiří Pospíšil, Marcus Pretzell, Virginie Rozière, Christel Schaldemose, Andreas Schwab, Olga Sehnalová, Jasenko Selimovic, Igor Šoltes, Ivan Štefanec, Catherine Stihler, Róza Gräfin von Thun und Hohenstein, Mihai Țurcanu, Anneleen Van Bossuyt, Marco Zullo						
Substitutes present for the final vote	Edward Czesak, Roberta Metsola, Julia Reda, Lambert van Nistelrooij						
Substitutes under Rule 200(2) present for the final vote	Isabella De Monte, Angélique Delahaye						

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

31	+
ECR	Edward Czesak, Daniel Dalton, Vicky Ford, Anneleen Van Bossuyt
EFDD	Marco Zullo
GUE/NGL	Dennis de Jong
PPE	Carlos Coelho, Angélique Delahaye, Philippe Juvin, Antonio López-Istúriz White, Eva Maydell, Roberta Metsola, Jiří Pospíšil, Andreas Schwab, Ivan Štefanec, Róza Gräfin von Thun und Hohenstein, Mihai Țurcanu, Lambert van Nistelrooij
S&D	Sergio Gaetano Cofferati, Nicola Danti, Isabella De Monte, Evelyne Gebhardt, Sergio Gutiérrez Prieto, Liisa Jaakonsaari, Marlene Mizzi, Virginie Rozière, Christel Schaldemose, Olga Sehnalová, Catherine Stihler
VERTS/ALE	Julia Reda, Igor Šoltes

1	-
ENF	Marcus Pretzell

3	0
ALDE	Dita Charanzová, Morten Løkkegaard, Jasenko Selimovic

Key to symbols:

+ : in favour

- : against

0 : abstention