Amendment 167
Patrick Le Hyaric, Rina Ronja Kari, Paloma López Bermejo, Marie-Pierre Vieu, João Ferreira, João Pimenta Lopes, Miguel Viegas, Marie-Christine Vergiat, Dennis de Jong on behalf of the GUE/NGL Group

Report
Merja Kyllönen
Enforcement requirements and specific rules for posting drivers in the road transport sector

Proposal for a directive
Article 2 – paragraph 2 – subparagraph 2 a (new)

Text proposed by the Commission

Member States shall apply points (b) and (c) of the first subparagraph of Article 3(1) of Directive 96/71/EC as minimum conditions to drivers in the road transport sector, when performing other kinds of international carriage operations as defined by Regulations 1072/2009 and 1073/2009.

Or. en
Amendment 168
Patrick Le Hyaric, Rina Ronja Kari, Paloma López Bermejo, Marie-Pierre Vieu, João Ferreira, João Pimenta Lopes, Miguel Viegas, Marie-Christine Vergiat, Dennis de Jong on behalf of the GUE/NGL Group

Report
Merja Kyllönen
Enforcement requirements and specific rules for posting drivers in the road transport sector

Proposal for a directive
Article 2 – paragraph 3 a (new)

Text proposed by the Commission

3a. For the purpose of determining the relevant Member State in relation to the application of points (b) and (c) of the first subparagraph of Article 3(1) of Directive 96/71/EC and the type of operation in the second subparagraph of paragraph 2, the following applies:

(a) the individual operation determines the terms of which Member State in relation to points (b) and (c) of the first subparagraph of Article 3(1) of Directive 96/71/EC that are to be applied.

(b) the loading of goods marks the beginning of an operation and discontinuation of previous operations.

(c) for the operation in question, the terms applicable are those of the Member State in which the unloading is supposed to take place.

Amendment

Or. en
2. Member States shall not apply points (b) and (c) of the first subparagraph of Article 3 (1) of Directive 96/71/EC to drivers in the road transport sector employed by undertakings referred to in Article 1(3)(a) of that Directive, when performing international carriage operations as defined by Regulations 1072/2009 and 1073/2009 where the period of posting to their territory to perform these operations is shorter than or equal to 3 days during a period of one calendar month.

By way of derogation, Member States shall not apply points (b) and (c) of the first subparagraph of Article 3 (1) of Directive 96/71/EC to drivers in the road transport sector employed by undertakings referred to in Article 1(3)(a) of that Directive, when performing international carriage operations as defined by Regulations 1072/2009 and 1073/2009, where these are limited to operations that start from the Member State where the road transport operator is registered, and go directly to another Member State followed by one unloading and/or one loading in that Member State within two working days after arrival and a direct return to the Member State where the road transport operator is registered, not including any
When the period of posting is longer than 3 days, Member States shall apply points (b) and (c) of the first subparagraph of Article 3 (1) of Directive 96/71/EC for the entire period of posting to their territory during the period of one calendar month referred to in the first subparagraph.

Member States shall apply points (b) and (c) of the first subparagraph of Article 3 (1) of Directive 96/71/EC as minimum conditions to drivers in the road transport sector, when performing other kinds of international carriage operations as defined by Regulations 1072/2009 and 1073/2009.
Amendment 170
Patrick Le Hyaric, Rina Ronja Kari, Paloma López Bermejo, Marie-Pierre Vieu, Marie-Christine Vergiat, Kateřina Konečná
on behalf of the GUE/NGL Group

Report
Merja Kyllönen
Enforcement requirements and specific rules for posting drivers in the road transport sector

Proposal for a directive
Article 2 – paragraph 3 a (new)

Text proposed by the Commission

3a. For the purposes of determining the relevant Member State in relation to the application of points (b) and (c) of the first subparagraph of Article 3(1) of Directive 96/71/EC and type of operation in third subparagraph of paragraph 2 the following applies:

(a) the individual operation determines the terms of which Member State in relation to points (b) and (c) of the first subparagraph of Article 3 (1) of Directive 96/71/EC that are to be applied.

(b) the loading of goods marks the beginning of an operation and discontinuation of previous operations.

(c) for the operation in question, the terms applicable are those of the Member State in which the unloading is supposed to take place; however, this does not apply to the second subparagraph of paragraph 2.

Or. en