

Amendment 208

Mercedes Bresso, Monika Beňová
on behalf of the S&D Group

Report

A8-0386/2018

Guillaume Balas

Coordination of social security systems
(COM(2016)0815 – C8-0521/2016 – 2016/0397(COD))

Proposal for a regulation**Article 2 – paragraph 1 – point 8 – point b (new)**

Regulation (EC) No 987/2009

Article 14 – paragraph 5 a

*Text proposed by the Commission**Amendment*

5a. For the purpose of the application of Title II of the basic Regulation, ‘registered office or place of business’ shall refer to the registered office or place of business where the essential ***decisions of the undertaking are adopted and where the functions of its central administration*** are carried out, ***provided the undertaking performs a substantial activity in that Member State. Otherwise, it shall be deemed to be situated in the Member State where the centre of interest of activities of the undertaking determined in accordance with the criteria laid down in paragraphs 9 and 10 is located.***

5a. For the purpose of the application of Title II of the basic Regulation, ‘registered office or place of business’ shall refer to the registered office or place of business where the essential ***activities*** are carried out. ***In determining the location of the registered office or place of business, the following factors shall be taken into account:***

- (a) ***the largest share of the work activities, determined by comparing the average weekly hours worked in each Member State where the person pursues an activity;***
- (b) ***the places where general meetings are held;***
- (c) ***the turnover, number of services rendered and/or income;***
- (d) ***the habitual nature of the activity pursued.***

The determination shall be carried out in the framework of an overall assessment, giving due weight to each of the criteria

referred to in the first subparagraph. The Administrative Commission shall lay down the detailed arrangements for the determination.

Or. en