

**Question for written answer E-001010/2015
to the Commission**
Rule 130
Olga Sehnalová (S&D)

Subject: New German Minimum Wage Act (MiLoG)

The new German Minimum Wage Act (MiLoG) is applicable as of 1 January 2015. The new minimum wage, amounting to EUR 8.5 per hour, applies to all employees who carry out their work on German territory, regardless of where their employers are permanently based.

Under the terms of Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services, can the provisions of the new Minimum Wage Act – including the obligation to pay the minimum wage of EUR 8.5 per hour – legally be imposed on all foreign carriers and hauliers who carry out transport operations in their own name for hire or reward, and who hold a Community licence (Eurolicence), even in the following cases:

1. where a driver (employee) is carrying goods or passengers to, from or via German territory?
2. where a driver (employee) is carrying out transport operations to, from or via German territory under contract with a German customer for a fixed wage?
3. where a driver (employee) is carrying out cabotage operations within German territory?