

**Question for written answer E-007659/2017
to the Commission**
Rule 130
Richard Sulík (ECR)

Subject: Posting of workers in the international transport sector - time limits for determining posting, and mitigation of the impact on small and medium-sized enterprises

The impact assessment for the proposed directive COM(2017) 278 states that a number of variants were assessed concerning time limits that will not apply to the conditions for posting in the international transport sector.

The assessment included variants based on the following time limits: variant (a) 3 days, (b) 5 days, (c) 7 days and (d) 9 days in total per calendar month spent in the host Member State; where these are exceeded, the foreign operator shall be subject to the rules of the host Member State.

1. On the basis of what data/study/statistics did the Commission finally opt in the proposal for the lowest, i.e. a 3-day time limit per calendar month, as set out in Article 2, and on what basis does it consider the limit of three days, according to the calculation in Article 2(3), to be sufficient for demonstrating a 'sufficient link between the driver and the host Member State'?
2. Did the Commission consider the option of defining posting on the basis of three consecutive days, which would provide a better indication of a link between the driver and the host Member State?
3. Why does the proposed directive COM(2017) 278 not include relaxed requirements for micro enterprises or small enterprises, for which it would be more difficult financially and administratively (e.g. calculating pay) to cope with the new conditions for posting?