



**2016/0402(COD)**

6.12.2017

# **AMENDMENTS**

## **1 - 136**

### **Draft opinion**

**Evelyne Gebhardt**

Directive of the European parliament and of the Council on the legal and operational framework of the European services e-card introduced by Regulation ....[ESC regulation]....

Proposal for a directive

(COM(2016)0823 – C8-0013/2017 – 2016/0402(COD))

AM\_Com\_LegOpinion

### **Amendment 1**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

#### **Proposal for a directive**

—

#### *Proposal for rejection*

*The Committee on Legal Affairs calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to propose rejection of the Commission proposal.*

Or. fr

### **Amendment 2**

**Evelyne Gebhardt, Evelyn Regner, Sylvia-Yvonne Kaufmann, Liisa Jaakonsaari, Virginie Rozière**

#### **Proposal for a directive**

—

#### *Proposal for rejection*

*The Committee on Legal Affairs calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to propose rejection of the Commission proposal.*

Or. en

#### *Justification*

*The Commission E-Card proposal does not solve the problems companies face when going cross-border and does not facilitate the functioning of the internal market. Instead, it bears many dangers and overlaps with existing tools. The card would risk the introduction of the country of origin principle and create additional administrative structures, while not addressing the issues companies, especially SMEs encounter, i.e. questions of insurance. Thus, the European Parliament should reject the proposal.*

### **Amendment 3**

**Pascal Durand**

**Proposal for a directive**

—

*Proposal for rejection*

***The Committee on Legal Affairs calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to propose rejection of the Commission proposal.***

Or. en

**Amendment 4**

**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**

—

*Proposal for rejection*

***The Committee on Legal Affairs calls on the Committee on Internal Market and Consumer Protection, as the committee responsible, to propose rejection of the Commission proposal.***

Or. en

**Amendment 5**

**Daniel Buda**

**Proposal for a directive**

**Recital 1**

*Text proposed by the Commission*

(1) The Treaty on the Functioning of the European Union (TFEU) guarantees service providers the freedom of establishment in Member States and the freedom to provide services across Member States.

*Amendment*

(1) The Treaty on the Functioning of the European Union (TFEU) guarantees service providers the freedom of establishment in Member States and the freedom to provide services across Member States. ***The Charter of Fundamental Rights of the European***

*Union also provides for the right of every citizen of the European Union to provide services in any other Member State.*

Or. ro

**Amendment 6**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

**Proposal for a directive**

**Recital 2**

*Text proposed by the Commission*

*Amendment*

*(2) Directive 2006/123/EC of the European Parliament and of the Council<sup>17</sup> establishes general provisions facilitating the exercise of the freedom of establishment for service providers and the free movement of services. It provides inter alia that Member States should provide for administrative simplification, for instance offering electronic procedures via Points of Single Contact, simplifying existing procedures and the need for certified documents and making best use of a system of tacit approval. The Directive also sets a framework furthering the freedom to provide services on a temporary basis in another Member State.*

*deleted*

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<sup>17</sup> Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market (OJ L 376, 27.12.2006, p. 36).

Or. fr

**Amendment 7**

**Daniel Buda**

**Proposal for a directive**

**Recital 2**

*Text proposed by the Commission*

(2) Directive 2006/123/EC of the European Parliament and of the Council<sup>17</sup> establishes general provisions facilitating the exercise of the freedom of establishment for service providers and the free movement of services. It provides inter alia that Member States should provide for administrative simplification, for instance offering electronic procedures via Points of Single Contact, simplifying existing procedures **and** the need **for** certified documents **and** making best use of a system of tacit approval. The Directive also sets a framework furthering the freedom to provide services on a temporary basis in another Member State.

*Amendment*

(2) Directive 2006/123/EC of the European Parliament and of the Council establishes general provisions facilitating the exercise of the freedom of establishment for service providers and the free movement of services. It provides inter alia that Member States should provide for administrative simplification, for instance offering electronic procedures via Points of Single Contact, simplifying existing procedures, ***particularly those arising from the need to produce*** certified documents, making best use of a system of tacit approval. The Directive also sets a framework furthering the freedom to provide services on a temporary basis in another Member State, ***while strengthening the rights of consumers and businesses that use the services and encouraging cooperation between EU Member States.***

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<sup>17</sup> *Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market (OJ L 376, 27.12.2006, p. 36).*

Or. ro

**Amendment 8**  
**Daniel Buda**

**Proposal for a directive**  
**Recital 3**

*Text proposed by the Commission*

(3) Directive 2006/123/EC requires Member States to put in place and keep constantly updated Points of Single Contacts where a service provider wishing to establish or to provide services can find

*Amendment*

(3) Directive 2006/123/EC requires Member States to ***step up cooperation between themselves and*** put in place and keep constantly updated Points of Single Contacts where a service provider wishing

all relevant information about requirements to be complied with and e-procedures in respect of all formalities, authorisation and notifications *to go through. However*, costly information challenges and difficulties complying with national procedures at a distance remain to date for service providers, *namely* for sector-related requirements. Cooperation between authorities in different Member States should in principle take place via the Internal Market Information System (IMI), an IT-platform offered for cross-border exchange of information and mutual assistance under that Directive. Despite the fact that authorities sometimes have doubts with regard to the legal establishment of a provider in another Member State, the possibilities for cooperation currently provided in IMI are not exploited to their full potential. Formalities associated with authorisations and notifications often require paper documents to be submitted and to be translated at a significant cost. Information regarding these obstacles is either not available online or is scarce, incomplete, dispersed and difficult to interpret in relation to the particular circumstances of a provider expanding across borders, as national rules often target purely domestic situations. Service providers often risk resubmitting information and documents.

to establish or to provide services can find all relevant information (*and assistance*) about requirements to be complied with and e-procedures in respect of all *necessary* formalities, authorisation and notifications. *However, bureaucratic obstacles and* costly information challenges and difficulties complying with national procedures at a distance remain to date for service providers, *especially* for sector-related requirements. Cooperation between authorities in different Member States should in principle take place via the Internal Market Information System (IMI), an IT-platform offered for cross-border exchange of information and mutual assistance under that Directive. Despite the fact that authorities sometimes have doubts with regard to the legal establishment of a provider in another Member State, the possibilities for cooperation currently provided in IMI are not exploited to their full potential, *since, in contrast to other areas, there has to date been very little exchange of information between Member States through the IMI system in fields covered by the Directive*. Formalities associated with authorisations and notifications often require paper documents to be submitted and to be translated at a significant cost. Information regarding these obstacles is either not available online or is scarce, incomplete, dispersed and difficult to interpret in relation to the particular circumstances of a provider expanding across borders, as national rules often target purely domestic situations. Service providers often risk resubmitting information and documents.

Or. ro

## **Amendment 9**

**Kostas Chrysogonos, Jiří Maštálka**

### **Proposal for a directive**

## Recital 5

*Text proposed by the Commission*

(5) *Cross-border trade and cross-border investment in certain business and construction services are particularly low showing a potential for better integration of services markets with significant negative repercussions for the remaining part of the economy. This underperformance leads to situations where the potential for more growth and jobs in the Single Market has not been fully exploited.*

*Amendment*

*deleted*

Or. en

## Amendment 10

Daniel Buda

### Proposal for a directive

## Recital 5

*Text proposed by the Commission*

(5) Cross-border trade and cross-border investment in certain business and construction services are particularly low showing a potential for better integration of services markets with significant negative repercussions for the remaining part of the economy. This underperformance leads to situations where the potential for more growth and jobs in the Single Market has not been fully exploited.

*Amendment*

(5) Cross-border trade and cross-border investment in certain business and construction services are particularly low showing a potential for better integration of services markets with significant negative repercussions for the remaining part of the economy. This underperformance leads to situations where the potential for more growth and jobs in the Single Market has not been fully exploited. ***Given the large potential for growth and jobs that remains to be exploited, the provisions of this Directive and of Regulation... [ESC Regulation]... will result in faster productivity growth and a more efficient allocation of resources in the EU services markets. Eliminating remaining obstacles to more cross-border activities, especially in services for companies and the building sector, will help to strengthen competition,***



*resulting in more choice and better prices for consumers, as well as more competitive services sectors creating new jobs, promoting productivity and ensuring a more attractive climate for investment and innovation. Moreover, given that services account for 40 % of the value of a final product in the EU, a more efficient services markets will boost industrial competitiveness.*

Or. ro

#### **Amendment 11**

**Kostas Chrysogonos, Jiří Maštálka**

#### **Proposal for a directive**

##### **Recital 7**

*Text proposed by the Commission*

(7) In order to make it easier to take up and pursue service activities, this Directive builds upon Directive 2006/123/EC but does in no way amend its rules. The scope of this Directive is even more limited compared to the scope laid down in the Services Directive. ***It specifically targets business and construction service sectors, where many obstacles to cross-border activities still remain. In addition, cross-border trade and investment in construction and several business services are low and both sectors have seen weak productivity growth over the last decade.***

*Amendment*

(7) In order to make it easier to take up and pursue service activities, this Directive builds upon Directive 2006/123/EC but does in no way amend its rules. The scope of this Directive is even more limited compared to the scope laid down in the Services Directive.

Or. en

#### **Amendment 12**

**Daniel Buda**

#### **Proposal for a directive**

##### **Recital 8**

*Text proposed by the Commission*

(8) All matters, activities and fields excluded from the scope of Directive 2006/123/EC should remain excluded from the scope of this Directive. In particular, this Directive does not affect matters, activities and fields such as those deriving from taxation, social security and labour law, including any legal or contractual provision concerning employment conditions, working conditions, including health and safety at work and the relationship between employers and workers. Equally this Directive does not affect the social security legislation of the Member States. This Directive is also without prejudice to any provision stemming from competition law as well as any rule on the applicable law or jurisdiction pursuant to private international law.

*Amendment*

(8) All matters, activities and fields excluded from the scope of Directive 2006/123/EC should remain excluded from the scope of this Directive. In particular, this Directive does not affect matters, activities and fields such as those deriving from taxation, social security and labour law, including any legal or contractual provision concerning employment conditions, working conditions **and employment categories (such as the posting of workers, workers' rights and the social pillar)**, including health and safety at work and the relationship between employers and workers. **The provisions of this directive do not change or put into question existing safeguards in this respect.** Equally this Directive does not affect the social security **or environmental protection** legislation of the Member States. This Directive is also without prejudice to any provision stemming from competition law as well as any rule on the applicable law or jurisdiction pursuant to private international law.

Or. ro

**Amendment 13**  
**Daniel Buda**

**Proposal for a directive**  
**Recital 9**

*Text proposed by the Commission*

(9) For reasons of coherence, possible conflicts between the present Directive and other EU acts governing specific aspects of access to or exercise of a service activity in a specific sector should be solved as provided for in Article 3 of Directive 2006/123/EC for conflicts between that Directive and such acts, with the

*Amendment*

(9) For reasons of coherence, possible conflicts between the present Directive and other EU acts governing specific aspects of access to or exercise of a service activity in a specific sector should be solved as provided for in Article 3 of Directive 2006/123/EC for conflicts between that Directive and such acts, with the

application of those other acts. As a result, the provisions in the present Directive cannot be relied upon in order to justify prior authorisation schemes, prior notification schemes or establishment requirements which are prohibited by other EU acts governing specific aspects of access to or exercise of a service activity in a specific sector such as Directive 2000/31/EC of the European Parliament and of the Council<sup>18</sup>. As a further result, this Directive does in no way affect the **obligations** service providers should respect in accordance with Directive 96/71/EC of the European Parliament and of the Council<sup>19</sup> and Directive 2014/67/EU of the European Parliament and of the Council<sup>20</sup>.

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<sup>18</sup> 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 (OJ L178, 17.7.2000, p. 1).

<sup>19</sup> 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 (OJ L 18, 21.1.1997, p. 1).

<sup>20</sup> Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ( ‘the IMI Regulation’ ) (OJ L 159, 28.5.2014, p. 11).

application of those other acts. As a result, the provisions in the present Directive cannot be relied upon in order to justify prior authorisation schemes, prior notification schemes or establishment requirements which are prohibited by other EU acts governing specific aspects of access to or exercise of a service activity in a specific sector such as Directive 2000/31/EC of the European Parliament and of the Council<sup>18</sup>. As a further result, this Directive does in no way affect the **rights of** service providers **and the obligations they** should respect in accordance with Directive 96/71/EC of the European Parliament and of the Council<sup>19</sup> and Directive 2014/67/EU of the European Parliament and of the Council<sup>20</sup>. ***The rules on the posting of workers under Directive 96/71/EC and Directive 2014/67/EU will therefore continue to apply in the context of the European services e-card.***

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<sup>18</sup> 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 (OJ L178, 17.7.2000, p. 1).

<sup>19</sup> 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 (OJ L 18, 21.1.1997, p. 1).

<sup>20</sup> Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ( ‘the IMI Regulation’ ) (OJ L 159, 28.5.2014, p. 11).

Or. ro

**Amendment 14**  
**Daniel Buda**

**Proposal for a directive**  
**Recital 10**

*Text proposed by the Commission*

(10) This Directive clarifies the conditions under which service providers concerned can benefit from the European services e-card introduced by Regulation ...[ESC Regulation]..., which respective role the home and the host Member State should have and which actions of the home Member State should be accepted by a host Member State. The European services e-card is a voluntary instrument for the service provider.

*Amendment*

(10) This Directive clarifies the conditions under which service providers concerned can benefit from the European services e-card introduced by Regulation ...[ESC Regulation]..., which respective role the home and the host Member State should have and which actions of the home Member State should be accepted by a host Member State. The European services e-card is a voluntary instrument for the service provider. ***Service providers consequently remain free to decide whether or not to apply for and make use of such a card. In addition, Member States must ensure that they do not treat service providers less favourably or discriminate against them, depending on whether or not they decide to avail themselves of the European services e-card.***

Or. ro

**Amendment 15**  
**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

**Proposal for a directive**  
**Recital 12**

*Text proposed by the Commission*

***(12) The main purpose of the European services e-card is to introduce a uniform and simplified procedure for service providers wishing to expand provision of services across internal market borders.***

*Amendment*

***deleted***

*The e-card represents an electronic certificate stating that a service provider is legally established in a Member State (the home Member State). Host Member States where a service provider is interested in expanding to should furthermore not apply, to holders of an e-card, their prior authorisation or notifications schemes put in place under national law to control access to or exercise of service activities, which is already the object of control before issue of a European services e-card.*

Or. fr

**Amendment 16**  
**Daniel Buda**

**Proposal for a directive**  
**Recital 12**

*Text proposed by the Commission*

(12) The main purpose of the European services e-card is to **introduce** a uniform and simplified procedure for service providers wishing to expand **provision of services across** internal market **borders**. The e-card represents an electronic certificate stating that a service provider is legally established in a Member State (the **home** Member State). Host Member States where a service provider is interested in expanding to should furthermore not apply, to holders of an e-card, their prior authorisation or notifications schemes put in place under national law to control access to or **exercice** of service activities, which is already the object of control before issue of a European services e-card.

*Amendment*

(12) The main purpose of the European services e-card is to **ensure administrative simplification, through the introduction of** a uniform and simplified procedure for service providers wishing to expand **their operations across national borders within the** internal market, **commencing in the home Member State and following the same procedural workflow, irrespective of the host Member State or the service in question, being designed specifically for crossborder situations and leading to certification in the form of a European services e-card**. The e-card **therefore** represents an electronic certificate stating that a service provider is legally established in a Member State (the Member State **of origin**) **and is entitled to start providing services in the host Member State and continue to do so for the duration of the validity of the European services e-card**. Host Member

States where a service provider is interested in expanding to should furthermore not apply, to holders of an e-card, their prior authorisation or notifications schemes put in place under national law to control access to or **exercise** of service activities, which is already the object of control before issue of a European services e-card.

Or. ro

#### **Amendment 17**

**Kostas Chrysogonos, Jiří Maštálka**

#### **Proposal for a directive**

##### **Recital 12**

*Text proposed by the Commission*

(12) The main purpose of the European services e-card is to introduce a uniform and simplified procedure for service providers wishing to expand provision of services across internal market borders. The e-card represents an electronic certificate stating that a service provider is legally established in a Member State (the home Member State). Host Member States where a service provider is interested in expanding to ***should furthermore not*** apply, to holders of an e-card, their prior authorisation or notifications schemes put in place under national law to control access to or **exercise** of service activities, which is already the object of control before issue of a European services e-card.

*Amendment*

(12) The main purpose of the European services e-card is to introduce a uniform and simplified procedure for service providers wishing to expand provision of services across internal market borders. The e-card represents an electronic certificate stating that a service provider is legally established in a Member State (the home Member State). Host Member States where a service provider is interested in expanding to ***may*** apply, to holders of an e-card, their prior authorisation or notifications schemes put in place under national law to control access to or **exercise** of service activities, which is already the object of control before issue of a European services e-card.

Or. en

#### **Amendment 18**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

#### **Proposal for a directive**

## Recital 14

*Text proposed by the Commission*

*Amendment*

**(14) Certain requirements and related authorisations and notifications governed by Directive 2006/123/EC should not be the object of controls in the context of issuing a European services e-card given their complexity or the involvement of third actors which the uniform procedural workflow of the European services e-card cannot suitably accommodate. This concerns selection procedures for granting authorisations limited in number and controls of site-specific conditions, be it for the site of actual provision of services or for the site where the provider establishes its operations. Similarly a European services e-card is also not suited to accommodate selection procedures for the performance of public contracts, design contests or concessions.** *deleted*

Or. fr

## Amendment 19

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

**Proposal for a directive**

## Recital 15

*Text proposed by the Commission*

*Amendment*

**(15) In the same vein, controls applicable to service providers which are already the object of other horizontal EU legislation should remain excluded. This is the case of requirements and controls related to recognition of professional qualifications under Directive 2005/36/EC of the European Parliament and of the Council<sup>21</sup>, even if mentioned in sector-specific legislation.** *deleted*

<sup>21</sup> *Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (OJ L 255, 30.9.2005, p. 22).*

Or. fr

## **Amendment 20**

**Gilles Lebreton, Mylène Troszczynski, Marie–Christine Boutonnet**

### **Proposal for a directive**

#### **Recital 16**

*Text proposed by the Commission*

*Amendment*

**(16) Furthermore, the requirements for service providers who are limited liability companies to disclose certain company information according to Directive 2009/101/EC of the European Parliament and of the Council<sup>22</sup> and Council Directive 89/666/EEC<sup>23</sup>, and any requirements or controls imposed by national rules on registration of branches of companies registered in another Member State under company law should not be covered by a European services e-card procedure, which is meant to address sector-specific matters in the framework of Directive 2006/123/EC.** *deleted*

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<sup>22</sup> *Directive 2009/101/EC of the European Parliament and of the Council of 16 September 2009 on coordination of safeguards which, for the protection of the interests of members and third parties, are required by Member States of companies within the meaning of the second paragraph of Article 48 of the Treaty, with a view to making such safeguards equivalent (OJ L 258, 1.10.2009, p. 11).*

<sup>23</sup> *Council Directive 89/666/EEC of 21 December 1989 concerning disclosure*



*requirements in respect of branches opened in a Member State by certain types of company governed by the law of another State (OJ L 395, 30.12.1989, p. 36).*

Or. fr

## **Amendment 21**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

### **Proposal for a directive**

#### **Recital 17**

*Text proposed by the Commission*

*Amendment*

*(17) A European services e-card provides several advantages. It offers a proof of legal establishment in the home Member State. As long as a European services e-card remains valid, it should constitute a valid means of proof throughout the EU of legal establishment in the home Member State for the services covered by that e-card. Such proof should even be accepted in a domestic context, across all levels and administrative divisions of public administration. A valid European services e-card includes information which is often required in different contexts, such as controls applicable during or after the performance of services, the award of a public contract, a design contest or a concession, formation of subsidiaries or registration of branches under company law and registration of the service provider with mandatory social insurance schemes. Since that information is already available in a valid European services e-card, Member State authorities should not request this information from e-card holders for these other purposes.*

*deleted*

Or. fr

## **Amendment 22**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

### **Proposal for a directive**

#### **Recital 18**

*Text proposed by the Commission*

*Amendment*

**(18) In addition, Member States should not be allowed to impose on holders of a European services e-card any service provision related authorisation or notification schemes prior to a service provision. Member States should not repeat, wholly or partially, controls previously performed in the context of issuing the European services e-card once provision of services has started in the host Member State. Authorisation or notification schemes such as those deriving from taxation, social security and labour law shall remain applicable as such matters are excluded from the scope of this Directive. Ex-post checks, inspections and investigations initiated by competent authorities should however remain admissible to control service performance, as under current EU Law. If such controls reveal serious breaches of requirements applicable in a host Member State, this could lead to the suspension or revocation of the European services e-card.** **deleted**

Or. fr

## **Amendment 23**

**Kostas Chrysogonos, Jiří Maštálka**

### **Proposal for a directive**

#### **Recital 18**

*Text proposed by the Commission*

*Amendment*

(18) In addition, Member States should not be allowed to impose on holders of a European services e-card any service provision related authorisation or notification schemes prior to a service provision. Member States should not repeat, wholly or partially, controls previously performed in the context of issuing the European services e-card once provision of services has started in the host Member State. Authorisation or notification schemes such as those deriving from taxation, social security and labour law shall remain applicable as such matters are excluded from the scope of this Directive. Ex-post checks, inspections and investigations initiated by competent authorities should however remain admissible to control service performance, as under current EU Law. If such controls reveal serious breaches of requirements applicable in a host Member State, this *could* lead to the suspension or revocation of the European services e-card.

(18) In addition, Member States should not be allowed to impose on holders of a European services e-card any service provision related authorisation or notification schemes prior to a service provision. Member States should not repeat, wholly or partially, controls previously performed in the context of issuing the European services e-card once provision of services has started in the host Member State. Authorisation or notification schemes such as those deriving from taxation, social security and labour law shall remain applicable as such matters are excluded from the scope of this Directive. Ex-post checks, inspections and investigations initiated by competent authorities should however remain admissible to control service performance, as under current EU Law. If such controls reveal serious breaches of requirements applicable in a host Member State, this *should* lead to the suspension or revocation of the European services e-card.

Or. en

#### **Amendment 24**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

#### **Proposal for a directive**

#### **Recital 19**

*Text proposed by the Commission*

*(19) Directive 2013/55/EU, of the European Parliament and of the Council, of 20 November 2013<sup>24</sup> introduced a legislative framework for the European professional card, meant to grant to professionals who obtain the right to pursue the same profession for which they previously established in a (home) Member State in another (host) Member State, either temporarily or through a secondary establishment. The European*

*Amendment*

*deleted*

*services e-card, as a procedure meant for a wide variety of services and not addressing issues related to professional qualifications, should thus not apply to those services for which a specific European professional card was introduced, except if sector-specific requirements and their controls, unrelated to recognition of professional qualifications, are left in place for secondary establishment of a particular profession.*

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*<sup>24</sup> Directive 2013/55/EU, of the European Parliament and of the Council, of 20 November 2013, amending Directive 2005/36/EC on the recognition of professional qualifications and Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation') (OJ L 354, 28.12.2013, p. 132).*

Or. fr

## **Amendment 25**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

### **Proposal for a directive**

#### **Recital 20**

*Text proposed by the Commission*

*Amendment*

*(20) In order to concentrate actions and decisions within a Member State and facilitate cooperation between different competent authorities in home and host Member States, a coordinating authority in the home Member State and in the host Member State should ultimately be responsible for handling issues related to the European services e-card, thus coordinating the input from the different competent national authorities and acting*

*deleted*

*as a contact point with its counterparts in other Member States. The application for a European services e-card should thus be submitted to the coordinating authority of the home Member State.*

Or. fr

#### **Amendment 26**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

#### **Proposal for a directive**

#### **Recital 21**

*Text proposed by the Commission*

*Amendment*

*(21) There are two types of European services e-cards offered to service providers: a simpler procedure for temporary cross-border provision of services into other Member States, essentially controlling their previous establishment in the home Member State and allowing a host Member State to object to temporary provision of cross-border services only due to overriding reasons of public interests, and a more complex one, framing the control by host Member States of an economic activity in their territory for an indefinite period through secondary establishment in the form of branches, agencies or offices, in order to ensure, in a simplified workflow, mutual recognition is performed properly and expeditiously.*

*deleted*

Or. fr

#### **Amendment 27**

**Daniel Buda**

#### **Proposal for a directive**

#### **Recital 24**

*Text proposed by the Commission*

(24) The coordinating authority of the home Member State should, upon receiving an application for a European services e-card, complete *it* and validate its contents *in order to accurately demonstrate* legal establishment of the provider in *its* home Member State *and describe its circumstances in a manner conducive for host Member States' authorities* to pursue their own controls. While inaction on the part of the applicant should lead to a halt in the procedure, inaction on the part of the home Member State's authorities should give way to judicial redress.

*Amendment*

(24) The coordinating authority of the home Member State should, upon receiving an application for a European services e-card, *verify whether the applicant is established de jure and de facto in the territory of the Member State of origin and whether the documents necessary to complete the application* and validate its contents *are valid and correct, so as to define precisely the* legal establishment *and the circumstances* of the provider in *his or her* home Member State, *thereby enabling the authorities of the* host Member State to pursue their own controls. While inaction on the part of the applicant should lead to a halt in the procedure, inaction on the part of the home Member State's authorities should give way to judicial redress.

Or. ro

**Amendment 28**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

**Proposal for a directive**

**Recital 25**

*Text proposed by the Commission*

(25) *In order to ensure uniform implementation of this Directive in relation to the technical aspects of handling and processing applications for European services e-cards, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>25</sup>. These implementing rules should determine the automatic cancellation of an application for a European services e-card if the respective procedure is suspended for a*

*Amendment*

*deleted*

*considerable lapse of time due to inaction on the part of the applicant.*

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<sup>25</sup> *Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).*

Or. fr

**Amendment 29**  
**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**  
**Recital 25**

*Text proposed by the Commission*

*Amendment*

*(25) In order to ensure uniform implementation of this Directive in relation to the technical aspects of handling and processing applications for European services e-cards, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>25</sup>. These implementing rules should determine the automatic cancellation of an application for a European services e-card if the respective procedure is suspended for a considerable lapse of time due to inaction on the part of the applicant.*

*deleted*

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<sup>25</sup> *Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member*

*States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).*

Or. en

**Amendment 30**  
**Daniel Buda**

**Proposal for a directive**  
**Recital 26**

*Text proposed by the Commission*

(26) A coordinating authority of the host Member State should provide clarity as to which requirements apply to the incoming service provider, considering the latter is already established in another Member State. The coordinating authority of the host Member State should ensure the provider knows which requirements govern performance of services in the host Member States, including those applicable once it obtains the European services e-card. For establishment, i.e., provision of services through branches, agencies or offices, the identification of applicable requirements by the coordinating authority of the host Member State fulfils a different purpose: it lists the requirements the compliance of which the incoming service provider is required to prove before the e-card can be issued.

*Amendment*

(26) A coordinating authority of the host Member State should provide clarity as to which requirements apply to the incoming service provider, considering the latter is already established in another Member State. The coordinating authority of the host Member State should ensure the provider knows which requirements govern performance of services in the host Member States, including those applicable once it obtains the European services e-card. ***Information concerning these requirements should be included in the application forms.*** For establishment, i.e., provision of services through branches, agencies or offices, the identification of applicable requirements by the coordinating authority of the host Member State fulfils a different purpose: it lists the requirements the compliance of which the incoming service provider is required to prove before the e-card can be issued.

Or. ro

**Amendment 31**  
**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

**Proposal for a directive**  
**Recital 29**



(29) *For provision of temporary cross-border services, given that Article 16 of Directive 2006/123/EC admits requirements for the generality of services covered by this Directive, host Member States should be allowed to object to the issue of a European services e-card by the home Member State in those cases where the circumstances of the applicant give rise to genuine and sufficiently serious threats to public interests related to public policy, public security, public health or the protection of the environment, in a manner which cannot be suitably and sufficiently addressed by requirements and controls applicable once service provision starts. This should be the case when a prior authorisation scheme or prior notification for temporary provision of the services in question is in place, justified in proportionate terms under one of those four overriding reasons of public interest safeguarded under Article 16 of Directive 2006/123/EC and when the conditions met by the applicant in its home Member State cannot be considered equivalent to the ones required in the host Member State for the granting of that prior authorisation. The possibilities and prerogatives of host Member States under Article 16 of Directive 2006/123/EC apply in the context of issuing a European services e-card.*

*deleted*

Or. fr

**Amendment 32****Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet****Proposal for a directive****Recital 30**

(30) *IMI should enable the Commission to become aware of objections raised by host Member States before the issue of European services e-card procedures for temporary cross-border provision of services, in the context of prior authorisation or prior notification schemes that should also have been previously notified under Directive .....[forthcoming Notification Directive]..... This information on the effective application of the notified authorisation schemes may be used by the Commission to trigger any enforcement action or to launch any enquiries. It is without prejudice to the rights of applicants to submit a complaint to Commission services alleging a potential breach of EU law by way of the objection in question.* *deleted*

Or. fr

**Amendment 33**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

**Proposal for a directive**

**Recital 31**

(31) *For establishment, host Member States should be allowed to impose on e-card applicants their own requirements, non-discriminatory, justified under overriding reasons of public interest and proportionate in compliance with Directive 2006/123/EC and other EU legislation concerned. Sector-specific EU legislation governing certain services covered by this Directive, such as services of travel agencies under Directive (EU) 2015/2302, of the European Parliament and of the Council<sup>26</sup>, and services of* *deleted*

*installation of energy-related building elements under Directive 2012/27/EU of the European Parliament and of the Council<sup>27</sup>, in so far as the controls do not pertain to recognition of professional qualifications in the framework of Directive 2005/36/EC, should be taken into consideration.*

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<sup>26</sup> *Directive (EU) 2015/2302 of the European Parliament and of the Council of 25 November 2015 on package travel and linked travel arrangements, amending Regulation (EC) No 2006/2004 and Directive 2011/83/EU of the European Parliament and of the Council and repealing Council Directive 90/314/EEC (OJ L 326, 11.12.2015, p. 1).*

<sup>27</sup> *Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (OJ L315, 14.11.2012, p.1).*

Or. fr

#### **Amendment 34**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

#### **Proposal for a directive**

#### **Recital 32**

*Text proposed by the Commission*

*Amendment*

<i>(32) Equivalence between requirements of a host Member State and those requirements of the home Member State the applicant has already complied should be an integral part of this assessment. In order to facilitate the assessment of the equivalence of requirements in home and host Member States, where the authority of the host Member State declares its</i>	<i>deleted</i>
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*intention to refuse an e-card for establishment, the applicant should have a renewed possibility to prove that it meets the conditions laid down in the prior authorisation or prior notification on the basis of which the authorities of the host Member States base their intention to refuse the e-card, including through requirements to which the applicant is subject in the home Member State and which they deem to be equivalent.*

Or. fr

**Amendment 35**  
**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**  
**Recital 33**

*Text proposed by the Commission*

(33) Host Member States *should be* allowed to request clarifications or additional information from the home Member State before the issue of a European services e-card, essentially relevant for the assessment of whether there is a justified and proportionate need to object to temporary provision of services by the applicant in its territory or, for establishment, to assess just how many of its regulatory concerns are already suitably addressed by compliance of the applicant with home Member State's requirements. Over time, it is expected that Member States will gain a better knowledge of their respective regulatory frameworks in the sectors covered by the e-card that should lead to enhanced mutual trust and thus allow for a more expedient assessment to the benefit of applicants.

*Amendment*

(33) Host Member States *are* allowed to request clarifications or additional information from the home Member State before the issue of a European services e-card, essentially relevant for the assessment of whether there is a justified and proportionate need to object to temporary provision of services by the applicant in its territory or, for establishment, to assess just how many of its regulatory concerns are already suitably addressed by compliance of the applicant with home Member State's requirements. Over time, it is expected that Member States will gain a better knowledge of their respective regulatory frameworks in the sectors covered by the e-card that should lead to enhanced mutual trust and thus allow for a more expedient assessment to the benefit of applicants.

Or. en

## **Amendment 36**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

### **Proposal for a directive**

#### **Recital 34**

*Text proposed by the Commission*

*Amendment*

(34) *In order to lay down the procedure for requesting such information, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of specifying the procedural workflow and its impact on the applicable time-limits for decisions to be made in the context of issuing a European services e-card. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.* *deleted*

Or. fr

## **Amendment 37**

**Daniel Buda**

### **Proposal for a directive**

#### **Recital 34**

*Text proposed by the Commission*

*Amendment*

(34) In order to lay down the procedure for requesting such information, the power

(34) In order to lay down the procedure for requesting such information, the power

to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of specifying the procedural workflow and its impact on the applicable time-limits for decisions to be made in the context of issuing a European services e-card. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and ***that those consultations be conducted*** in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of specifying the procedural workflow and its impact on the applicable time-limits for decisions to be made in the context of issuing a European services e-card. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and ***particularly with interested parties in the sectors covered by this Directive, and that this be done*** in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts ***and interested parties***, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. ro

## Amendment 38

Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet

### Proposal for a directive

#### Recital 35

*Text proposed by the Commission*

*Amendment*

***(35) The host Member State should no longer control whether the applicant for a European services e-card is legally established in another Member State. Nor should it put into question the veracity and validity of the data and documents included in an application, once validated by the coordinating authority of the home Member State. Conversely, the coordinating authority of the home***

***deleted***

*Member State should not assess whether it issues a European services e-card for temporary cross-border provisions of services based on compliance by the provider of host Member State requirements, rather it should only assess of whether the applicant is legally established in its territory for the provision of the service in question at the time the decision to issue is made.*

Or. fr

#### **Amendment 39**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

#### **Proposal for a directive**

#### **Recital 37**

*Text proposed by the Commission*

*Amendment*

*(37) Prior to the issuance of the European services e-card, a host Member State should be allowed to invoke legitimate policy concerns. Nevertheless, in the interest of allowing for a simplified and swift procedure, the principle of tacit approval should be observed in issuing a European services e-card. That is the general principle introduced under Directive 2006/123/EC. An alert of impending tacit approval and the extension of the applicable deadlines by two additional weeks should ensure that the host Member State has the appropriate time and means to consider applications for a European services e-card. A lack of information from the host Member State on applicable requirements should also not impede automatic issue of a European services e-card.*

*deleted*

Or. fr

## **Amendment 40**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

### **Proposal for a directive**

#### **Recital 38**

*Text proposed by the Commission*

*Amendment*

**(38) Service providers should not be required to provide information and documents which are already in the possession of other authorities in the home Member State, irrespective of administrative levels or divisions. It should also be the case when interconnection of national registers (e.g. central, commercial and companies' registers as required by Directive 2009/101/EC or insolvency registers under Regulation (EU) 2015/848 of the European Parliament and of the Council<sup>28</sup>) allows for information and documents to be retrieved by the administration of the home Member State from other Member States. In all instances when personal data are processed under this Directive, rules on protection of personal data of Directive 95/46/EC of the European Parliament and of the Council<sup>29</sup>, Regulation (EU) 2016/679 of the European Parliament and of the Council<sup>30</sup> and national legislation should be observed.** *deleted*

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<sup>28</sup> Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (OJ L 141, 5.6.2016, p.19).

<sup>29</sup> Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31).

<sup>30</sup> 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) (OJ L 119,  
4.5.2016, p. 1).*

Or. fr

#### **Amendment 41**

**Kostas Chrysogonos, Jiří Maštálka**

#### **Proposal for a directive**

#### **Recital 39**

*Text proposed by the Commission*

(39) A service provider should be allowed to apply for a European services e-card in the home Member State **and** have that application assessed by the host Member State regarding the applicable conditions to provide services through a branch in the territory of that host Member State before that applicant is required to apply for registration of the future branch in that same host Member State. Thus, the applicant will be certain of the applicable sector-specific conditions and ultimately that it complies with them in a manner satisfactory to the host Member State before spending time and resources on requesting the registration of a branch in that host Member State for company law purposes. At the same time, the applicant will need to comply with national rules on registration of branches under company law to provide services through such a branch in compliance with EU law.

*Amendment*

(39) A service provider should be allowed to apply for a European services e-card in the home Member State. **A service provider should** have that application **substantially** assessed **and ultimately approved** by the host Member State regarding the applicable conditions to provide services through a branch in the territory of that host Member State before that applicant is required to apply for registration of the future branch in that same host Member State. Thus, the applicant will be certain of the applicable sector-specific conditions and ultimately that it complies with them in a manner satisfactory to the host Member State before spending time and resources on requesting the registration of a branch in that host Member State for company law purposes. At the same time, the applicant will need to comply with national rules on registration of branches under company law to provide services through such a branch in compliance with EU law.

Or. en

**Amendment 42**  
**Daniel Buda**

**Proposal for a directive**  
**Recital 40**

*Text proposed by the Commission*

(40) A European services e-card should allow for provision of services throughout the territory of the host Member State. A service provider, once established in a Member State in the form of a branch, agency or office, should not, in principle, need to apply for another e-card in order to expand provision of services already covered by the existing e-card domestically through additional branches, agencies or offices there, as the case may be. However, as Directive 2006/123/EC expressly provides for, authorisations for each individual branch, agency or office may be justified by overriding reasons of public interest. In that case, service providers should continue to have the choice of expanding operations domestically by obtaining those authorisations under national law or applying for additional European services e-cards, for each additional branch, agency or office, as the case may be.

*Amendment*

(40) A European services e-card should allow for provision of services throughout the territory of the host Member State. A service provider, once established in a **host** Member State ***on the basis of the European services e-card held by him***, in the form of a branch, agency or office, should not, in principle, need to apply for another e-card in order to expand provision of services already covered by the existing e-card domestically through additional branches, agencies or offices there, as the case may be. However, as Directive 2006/123/EC expressly provides for, authorisations for each individual branch, agency or office may be justified by overriding reasons of public interest. In that case, service providers should continue to have the choice of expanding operations domestically by obtaining those authorisations under national law or applying for additional European services e-cards, for each additional branch, agency or office, as the case may be.

Or. ro

**Amendment 43**  
**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

**Proposal for a directive**  
**Recital 41**

*Text proposed by the Commission*

**(41) This Directive should not interfere**

*Amendment*

***deleted***

*with the division of regional or local competences within the Member States, including regional and local self-government. This notwithstanding, administrative cooperation between different national authorities within strict time-limits may be necessary in order to meet the obligations laid down in the Directive. In order to help Member States meet their obligations and considering the decentralised structure of many of them, IMI could also be used as a tool for the effective exchange of information and mutual assistance between competent authorities within a certain Member State, without prejudice to other solutions put in place by Member States.*

Or. fr

#### **Amendment 44**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

#### **Proposal for a directive**

#### **Recital 42**

*Text proposed by the Commission*

*Amendment*

*(42) A European services e-card should be valid for an indefinite period in time, without prejudice to, in relation to temporary cross-border services, the effects of case-by-case derogations in accordance with Directive 2006/123/EC.* **deleted**

Or. fr

#### **Amendment 45**

**Kostas Chrysogonos, Jiří Maštálka**

#### **Proposal for a directive**

#### **Recital 42**

*Text proposed by the Commission*

(42) A European services e-card should be valid for ***an indefinite period in time***, without prejudice to, in relation to temporary cross-border services, the effects of case-by-case derogations in accordance with Directive 2006/123/EC.

*Amendment*

(42) A European services e-card should be valid for ***a period of 24 months and should be subject to checks and inspections every 6 months by the host Member State's authorities***, without prejudice to, in relation to temporary cross-border services, the effects of case-by-case derogations in accordance with Directive 2006/123/EC.

Or. en

**Amendment 46**

**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**

**Recital 43**

*Text proposed by the Commission*

(43) A European services e-card should however be suspended by the issuing coordinating authority if, temporarily, the service provider is banned from providing the services in question. The suspension should last as long as the ban is in place. A European services e-card should be revoked by the issuing coordinating authority if the conditions for issuing it or for it to remain valid, as a testament of legality of service provision in the host Member State, are no longer met. A final decision establishing that an e-card holder misrepresented him or herself as a service provider and that, under national law of either home or host Member State he or she is considered to be a worker, should lead to the revocation of the European services e-cards in question. Similarly, cases of fraudulent, inaccurate or falsified information or documents used in the context of issuing a European services e-card should impact the validity of the e-card.

*Amendment*

(43) A European services e-card should however be suspended by the issuing coordinating authority if, temporarily, the service provider is banned from providing the services in question. The suspension should last as long as the ban is in place. A European services e-card should be revoked by the issuing coordinating authority if the conditions for issuing it or for it to remain valid, as a testament of legality of service provision in the host Member State, are no longer met. A final decision establishing that an e-card holder misrepresented him or herself as a service provider and that, under national law of either home or host Member State he or she is considered to be a worker, should lead to the revocation of the European services e-cards in question. Similarly, cases of fraudulent, inaccurate or falsified information or documents used in the context of issuing a European services e-card should impact the validity of the e-card. ***In cases of fraud and falsified***

*information, Member States shall put in place effective and dissuasive measures with respect for the principle of proportionality and the fundamental rights.*

Or. en

## **Amendment 47**

**Daniel Buda**

### **Proposal for a directive**

#### **Recital 44**

*Text proposed by the Commission*

(44) Administrative cooperation between home and host Member State authorities should ensure observance of conditions of validity of a previously issued European services e-card. To further ensure no European services e-card misrepresents the situation of its holder at any given moment, its holder and competent authorities should be obliged to inform the coordinating authority who issued it of changes in the situation of the holder which may impact the validity of the e-card.

*Amendment*

(44) Administrative cooperation between home and host Member State authorities *is based, inter alia, on the periodic updating of information, which should **be used to*** ensure observance of conditions of validity of a previously issued European services e-card. To further ensure no European services e-card misrepresents the situation of its holder at any given moment, its holder and competent authorities should be obliged to inform the coordinating authority who issued it of changes in the situation of the holder which may impact the validity of the e-card.

Or. ro

## **Amendment 48**

**Daniel Buda**

### **Proposal for a directive**

#### **Recital 45**

*Text proposed by the Commission*

(45) In any case, before adopting the decision to revoke or suspend the e-card,

*Amendment*

(45) In any case, before adopting the decision to revoke or suspend the e-card,

the competent coordinating authority should consult the e-card holder and any decision should be duly justified and subject to appeal, in accordance with the applicable national law of the Member State which issued it. Interim measures signalling a pending procedure for suspension or revocation of a European services e-card should be allowed, signalling a link with alerts triggered under Directive 2006/123/EC.

the competent coordinating authority should consult the e-card holder and any decision should be duly justified and subject to appeal, in accordance with the applicable national law of the Member State which issued it. ***In cases of material error or justified omission or delay in the submission of information or documents, the coordinating authority should give the service provider the opportunity to remedy the situation.*** Interim measures signalling a pending procedure for suspension or revocation of a European services e-card should be allowed, signalling a link with alerts triggered under Directive 2006/123/EC.

Or. ro

#### **Amendment 49**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

#### **Proposal for a directive**

#### **Recital 46**

*Text proposed by the Commission*

*Amendment*

***(46) In order to ensure uniform conditions for the implementation of this Directive in relation to the technical aspects of processing suspensions, revocations and cancellations of European services e-cards, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.***

***deleted***

Or. fr

#### **Amendment 50**

**Daniel Buda**

**Proposal for a directive**  
**Recital 47**

*Text proposed by the Commission*

(47) The application of this Directive should be monitored and assessed in order to determine its impact on the costs of expanding operations cross-border, particularly in relation to service providers, on consumer perception regarding such providers, particularly those holding a European services e-card, and on competition, prices and quality of services. The effects of the provisions contained in this Directive should be evaluated regularly, in particular in order to assess whether it would be appropriate to introduce a European services e-card for other service activities. This monitoring will take place in cooperation with Member States, social partners and other relevant stakeholders.

*Amendment*

(47) The application of this Directive should be monitored and assessed in order to determine its impact on the ***simplification of administrative proceedings and on the*** costs of expanding operations cross-border, particularly in relation to service providers ***to whom the provisions of this directive apply***, on consumer perception regarding such providers, particularly those holding a European services e-card, and on competition ***and competitiveness***, prices and quality of services. The effects of the provisions contained in this Directive should be evaluated regularly, in particular in order to assess whether it would be appropriate to introduce a European services e-card for other service activities. This monitoring will take place in cooperation with Member States, social partners and other relevant stakeholders.

Or. ro

**Amendment 51**  
**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

**Proposal for a directive**  
**Recital 48**

*Text proposed by the Commission*

***(48) Since the objectives of this Directive cannot be sufficiently achieved by the Member States in view of the complexity and inconsistency of approaches of controlling certain services across Member States but can rather, by reason of enhanced administrative coordination across the Union, be better achieved at Union level, the Union may***

*Amendment*

***deleted***

*adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.*

Or. fr

#### **Amendment 52**

**Kosma Złotowski, Angel Dzhambazki**

#### **Proposal for a directive**

#### **Article 2 – paragraph 1**

*Text proposed by the Commission*

1. This Directive applies to *the* services *listed* in the *Annex*.

*Amendment*

1. This directive applies to *activities for construction and engineer of buildings, including* services in the *area of installation and maintenance of equipment except of installation, servicing, maintenance, repair, checking for leaks or decommissioning of equipment that contains fluorinated greenhouse gases of whose functioning relies upon those gases for which certification or attestation is required under Articles 3(4) and 10 of Regulation 517/2014.*

Or. en

#### **Amendment 53**

**Daniel Buda**

#### **Proposal for a directive**

#### **Article 2 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

It shall not apply to the activities and fields

*Amendment*

It shall not apply to the activities and fields



mentioned in Article 2(2) and (3) of  
Directive 2006/123/EC.

mentioned in Article 2(2) and (3) of  
Directive 2006/123/EC *or to information  
society services.*

Or. ro

**Amendment 54**  
**Daniel Buda**

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

*Text proposed by the Commission*

*Amendment*

*This Directive shall not have any impact  
on the regulatory requirements for the  
provision of services that are in place at  
national level, such as rules concerning  
social protection, consumer rights, health  
and safety or the environment. It does not  
therefore introduce the country of origin  
principle.*

Or. ro

**Amendment 55**  
**Daniel Buda**

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

*Text proposed by the Commission*

*Amendment*

*This Directive is also without prejudice to  
any provision stemming from competition  
law and any rule on the applicable law or  
jurisdiction under private international  
law.*

Or. ro

**Amendment 56**

**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**

**Article 2 – paragraph 3 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***This Directive shall be without prejudice to the different market models of the Member States, including labour markets regulated by collective agreements.***

Or. en

**Amendment 57**

**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**

**Article 2 – paragraph 3 – subparagraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

***The fundamental rights, such as the protection of personal data, the rights of establishment and the right to provide services in any Member State, the right to equality and non-discrimination on grounds of nationality, the right to an impartial, fair and reasonably speedy procedure, as well as the prohibition of abuse of rights, shall be fully respected.***

Or. en

**Amendment 58**

**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**

**Article 2 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. This Directive shall fully respect the principle of administrative and procedural autonomy of the Member***

*States.*

Or. en

## **Amendment 59**

**Daniel Buda**

### **Proposal for a directive**

#### **Article 3 – paragraph 1 – point 1**

*Text proposed by the Commission*

1. "home Member State" means the Member State *to which a* provider *addressed* the application for a European services e-card;

*Amendment*

1. "home Member State" means the Member State *where the service* provider *is established in accordance with the laws of that Member State and to which* the application for *the issuing of* a European services e-card *is addressed*;

Or. ro

## **Amendment 60**

**Kosma Złotowski, Angel Dzhambazki**

### **Proposal for a directive**

#### **Article 3 – paragraph 1 – point 1**

*Text proposed by the Commission*

1. "home Member State" means the Member State *to which a* provider *addressed the application for a European services e-card*;

*Amendment*

1. "home Member State" means the Member State *in whose territory the* provider *of the service concerned is established*.

Or. en

## **Amendment 61**

**Daniel Buda**

### **Proposal for a directive**

#### **Article 3 – paragraph 1 – point 1 a (new)**

***1a. The European services e-card is an electronic certificate issued as the result of a voluntary procedure initiated in the Member State of origin, this procedure being fully electronic, specifically designed for cross-border situations, fully multilingual and data-driven, minimising the use of documents, governed by the 'once only' principle and harmonised at EU level; the European services e-card certifies that the holder - providing services for businesses or in the construction sector - is lawfully engaged in his or her activity in the home Member State and establishes the right of the holder to start providing services in the host Member State, either temporarily or through a branch, agency or offices in the area, and continue providing them for the duration of validity of the card.***

Or. ro

**Amendment 62**

**Daniel Buda**

**Proposal for a directive**

**Article 3 – paragraph 1 – point 11 a (new)**

*Text proposed by the Commission*

*Amendment*

***(11a) 'recipient' shall mean a recipient as defined in Article 4(3) of Directive 2006/123/EC;***

Or. ro

**Amendment 63**

**Kosma Złotowski, Angel Dzhambazki**

**Proposal for a directive**

**Article 4 – paragraph 1**

*Text proposed by the Commission*

Member States shall accept a valid European services e-card as proof that its holder is established in the territory of his home Member State and is entitled, in that territory, to provide the service activities covered by the e-card.

*Amendment*

Member States shall accept a valid European services e-card as proof that its holder is established in the territory of his home Member State and is entitled, in that territory ***as well as in the territory of the host Member State after completing the required procedures and receiving a final, positive decision from the competent authorities of the host Member State***, to provide the service activities covered by the e-card.

Or. en

**Amendment 64**

**Daniel Buda**

**Proposal for a directive**

**Article 4 – paragraph 1**

*Text proposed by the Commission*

Member States shall accept a valid European services e-card as proof that its holder is established in the territory of his home Member State and ***is entitled, in that territory***, to provide the service activities covered by the e-card.

*Amendment*

Member States shall accept a valid European services e-card as proof that its holder is ***legally*** established in the territory of his home Member State and, ***under the legislation of that Member State, is entitled*** to provide the service activities covered by the e-card ***in its territory***.

Or. ro

**Amendment 65**

**Kosma Zlotowski, Angel Dzhambazki**

**Proposal for a directive**

**Article 4 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***After the holder completed the required procedures and received the final, positive***

*decision by the competent authorities of the host Member State, his e-card shall be a proof that its holder is entitled to perform activity in the territory of the host Member State.*

Or. en

**Amendment 66**

**Kosma Zlotowski, Angel Dzhambazki**

**Proposal for a directive**

**Article 4 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

*After the holder completed the required procedures and received the final, positive decision by the competent authorities of the host Member State, his e-card shall be a proof that its holder is entitled, in that territory, to provide the service activities covered by the e-card.*

Or. en

**Amendment 67**

**Daniel Buda**

**Proposal for a directive**

**Article 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 4a**

*1. The European services e-card is a voluntary instrument. Service providers consequently remain free to decide whether or not to apply for and make use of such a card.*

*2. Member States shall ensure that service providers who do not apply for a European services e-card, those whose*

*application was denied by the Member State of origin or the host Member State or those whose European services e-card is no longer valid are able to start or continue the provision of services in accordance with EU law, in particular with the relevant provisions of Directive 2006/123/EC.*

*3. In addition, Member States must ensure that they do not treat service providers less favourably or discriminate against them, depending on whether or not they make use of the European services e-card.*

Or. ro

#### **Amendment 68**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

#### **Proposal for a directive**

#### **Article 5**

*Text proposed by the Commission*

*Amendment*

*[...]*

*deleted*

Or. fr

#### **Amendment 69**

**Kostas Chrysogonos, Jiří Maštálka**

#### **Proposal for a directive**

#### **Article 5 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. A host Member State ***shall not*** impose any prior authorisation scheme, prior notification scheme or an establishment requirement on the holder of a previously issued European services e-card for temporary cross-border provision of services as a condition for such

1. A host Member State ***may*** impose any prior authorisation scheme, prior notification scheme or an establishment requirement on the holder of a previously issued European services e-card for temporary cross-border provision of services as a condition for such provision

provision of services in its territory.

of services in its territory.

Or. en

#### **Amendment 70**

**Kostas Chrysogonos, Jiří Maštálka**

#### **Proposal for a directive**

#### **Article 5 – paragraph 2**

*Text proposed by the Commission*

2. A host Member State ***shall not*** impose any prior authorisation scheme or prior notification scheme on the holder of a previously issued European services e-card for establishment as a condition for establishment in its territory through a branch, agency or office located in its territory.

*Amendment*

2. A host Member State ***may*** impose any prior authorisation scheme or prior notification scheme on the holder of a previously issued European services e-card for establishment as a condition for establishment in its territory through a branch, agency or office located in its territory.

Or. en

#### **Amendment 71**

**Kostas Chrysogonos, Jiří Maštálka**

#### **Proposal for a directive**

#### **Article 5 – paragraph 3**

*Text proposed by the Commission*

3. ***A host Member State shall refrain from imposing on holders of a previously issued European services e-card requirements other than those referred to in paragraphs 1 and 2 the compliance of which has been or is deemed to have been verified under Articles 11 to 13.***

*Amendment*

***deleted***

Or. en

#### **Amendment 72**



**Kosma Zlotowski, Angel Dzhambazki**

**Proposal for a directive**

**Article 5 – paragraph 4 – point ii**

*Text proposed by the Commission*

*Amendment*

**(ii) requirements and other obligations, prohibitions, conditions or limits imposed on providers in the context of selection procedures of candidates for the provision of services under a public contract, a design contest or a concession;**

**deleted**

Or. en

**Amendment 73**

**Kosma Zlotowski, Angel Dzhambazki**

**Proposal for a directive**

**Article 5 – paragraph 4 – point iii**

*Text proposed by the Commission*

*Amendment*

**(iii) authorisation schemes, notification schemes or requirements concerning conditions specifically related to the site where the service is provided or to the site where the provider is established;**

**deleted**

Or. en

**Amendment 74**

**Kosma Zlotowski, Angel Dzhambazki**

**Proposal for a directive**

**Article 5 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

**5. Paragraphs 1, 2 and 3 are without prejudice to reporting obligations imposed on the holder of a European services e-card or the performance of checks, inspections**

**5. Paragraphs 1, 2 and 3 are without prejudice to reporting obligations imposed on the holder of a European services e-card or the performance of checks, inspections**

or investigations from competent authorities during the provision of the service, in compliance with EU law.

or investigations from competent authorities during the provision of the service, in compliance with EU law.

***During the checks, the authorities competent for inspections or investigations should take into account the e-card as a proof of completion of the requirements set out in an e-card.***

Or. en

#### **Amendment 75**

**Kostas Chrysogonos, Jiří Maštálka**

#### **Proposal for a directive**

#### **Article 5 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***5a. The control measures related to posted workers laid down in Directive 2016/67/EU and in relevant legislation shall not be affected. Host Member States shall not be prevented from applying its national law and practice - including those laid down in collective agreements - on employment and working conditions.***

Or. en

#### **Amendment 76**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

#### **Proposal for a directive**

#### **Article 6 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

***Authorities in Member States shall not, in the context of any procedures or formalities imposed on a provider in their territory and in accordance with the rules on the protection of personal data as provided for in Directive 95/46/EC [,***

***deleted***

***Regulation (EU) No 2016/679] and national legislation, require the holder of a European services e-card to provide any information which is already contained in the European services e-card, including for:***

- (i) the award of a public contract, a design contest or a concession;***
- (ii) formation of subsidiaries or registration of branches under company law;***
- (iii) registration with mandatory social insurance schemes.***

Or. fr

**Amendment 77**  
**Daniel Buda**

**Proposal for a directive**  
**Article 6 – paragraph 1 – introductory part**

*Text proposed by the Commission*

Authorities in Member States shall not, in the context of any procedures or formalities imposed on a provider in their territory and in accordance with the rules on the protection of personal data as provided for in Directive 95/46/EC [, Regulation (EU) No 2016/679] and national legislation, require the holder of a European services e-card to provide any information ***which is already contained in*** the European services e-card, including for:

*Amendment*

Authorities in Member States shall not, in the context of any procedures or formalities imposed on a provider in their territory and in accordance with the rules on the protection of personal data as provided for in Directive 95/46/EC [, Regulation (EU) No 2016/679] and national legislation, require the holder of a European services e-card to provide any information ***or documents on the strength of which*** the European services e-card ***was issued***, including for:

Or. ro

**Amendment 78**  
**Kosma Zlotowski, Angel Dzhambazki**

**Proposal for a directive**

## Article 7 – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

A European services e-card for establishment shall be valid, as regards the service activities covered by that e-card, throughout the territory of the host Member State through one or more branches, agencies or offices located in the territory of this Member State except where an authorisation for each additional branch, agency or office is justified in accordance with Article 10(4) of Directive 2006/123/EC.

*Amendment*

A European services e-card for establishment shall be valid, as regards the service activities covered by that e-card, throughout the territory of the host Member State through one or more branches, agencies or offices located in the territory of this Member State except where an authorisation for each additional branch, agency or office is ***based on the provisions*** justified in accordance with Article 10(4) of Directive 2006/123/EC.

Or. en

## Amendment 79

Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet

### Proposal for a directive

#### Article 7 – paragraph 2

*Text proposed by the Commission*

**2. A European services e-card shall be valid for an indefinite duration, unless suspended, revoked or cancelled, in accordance with Articles 15 to 17.**

***This shall be without prejudice to measures put in place in accordance with Article 18 of Directive 2006/123/EC.***

*Amendment*

***deleted***

Or. fr

## Amendment 80

Kostas Chrysogonos, Jiří Maštálka

### Proposal for a directive

#### Article 7 – paragraph 2 – subparagraph 1

*Text proposed by the Commission*

*Amendment*

A European services e-card shall be valid for *an indefinite duration*, unless suspended, revoked or cancelled, *in accordance with Articles 15 to 17*.

A European services e-card shall be valid for *a period of 24 months*, unless suspended, revoked or cancelled, *and shall be subject to checks and inspections every 6 months by the host Member State's authorities*.

Or. en

## Amendment 81

Kosma Zlotowski, Angel Dzhambazki

### Proposal for a directive Article 8 – paragraph 1

*Text proposed by the Commission*

Member States shall ensure that providers with establishment in the territory of one Member State shall have the right to submit an application for a European services e-card to the coordinating authority of *that same* Member State.

*Amendment*

Member States shall ensure that providers with establishment in the territory of one Member State shall have the right to submit an application for a European services e-card to the coordinating authority of *the home* Member State.

Or. en

## Amendment 82

Kosma Zlotowski, Angel Dzhambazki

### Proposal for a directive Article 10 – paragraph 1

*Text proposed by the Commission*

In assessing applications for the European services e-card, Member States *shall retain* the right to invoke *those* overriding reasons of public interests recognised under Directive 2006/123/EC, in particular Article 16 thereof, or other acts of EU law.

*Amendment*

In assessing applications for the European services e-card, Member States *have* the right to invoke overriding reasons of public interests, *when this is based on the provisions which justify it*, recognised under Directive 2006/123/EC, in particular Article 16 thereof, or other acts of EU law.

Or. en

**Amendment 83**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

**Proposal for a directive**

**Article 11**

*Text proposed by the Commission*

*Amendment*

**Article 11**

**deleted**

***Assessment of the application by the home  
Member State***

***1. The coordinating authority of the home Member State shall within one week of having received an application for a European services e-card:***

- (a) examine the application;***
- (b) verify the completeness and accuracy of the information provided;***
- (c) verify whether European services e-cards issued in relation to other home Member States for the same provider and service activity have been revoked or cancelled, or that cancellation has been requested to allow replacement of those e-cards by the European services e-card to which the application refers to;***
- (d) verify the content and validity of accompanying documents, if any, that prove compliance with requirements applicable to the service provision to which the applicant is subject in the home Member State;***
- (e) request supplementing of the application from the applicant, where necessary;***
- (f) complete the application form with the information obtained in accordance with Article 14(2);***
- (g) upload to the electronic platform where the standard form for application is made available the necessary documents, if any, obtained in accordance with***

*Article 14(2).*

*Where the coordinating authority of the home Member State requests supplementing of the application from the applicant, the time-limit is suspended until that information is provided.*

*2. The coordinating authority of the home Member State shall, upon completion of the tasks referred to in paragraph 1, communicate without delay the application to the coordinating authority of the host Member State, with information to the applicant.*

*3. The decisions and actions by the coordinating authority of the home Member State, notified to the applicant through the electronic platform where the standard form for application is made available, or the absence of a decision or action within the time-limit shall be subject to appeal under national law of the home Member State.*

*4. The Commission shall adopt technical rules for the handling and processing of the application by means of implementing acts. These rules shall include time-limits on the expiration of the application due to inaction of the applicant.*

*Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19(2).*

Or. fr

**Amendment 84**  
**Daniel Buda**

**Proposal for a directive**  
**Article 11 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

The coordinating authority of the home

The coordinating authority of the home

Member State shall within **one week** of having received an application for a European services e-card:

Member State shall within **two weeks** of having received an application for a European services e-card:

Or. ro

#### **Amendment 85**

**Kostas Chrysogonos, Jiří Maštálka**

#### **Proposal for a directive**

#### **Article 11 – paragraph 1 – subparagraph 1 – introductory part**

##### *Text proposed by the Commission*

The coordinating authority of the home Member State shall within **one week** of having received an application for a European services e-card:

##### *Amendment*

The coordinating authority of the home Member State shall within **four weeks** of having received an application for a European services e-card:

Or. en

#### **Amendment 86**

**Kosma Złotowski, Angel Dzhambazki**

#### **Proposal for a directive**

#### **Article 11 – paragraph 1 – subparagraph 1 – introductory part**

##### *Text proposed by the Commission*

The coordinating authority of the home Member State shall within **one week** of having received an application for a European services e-card:

##### *Amendment*

The coordinating authority of the home Member State shall within **two weeks** of having received an application for a European services e-card:

Or. en

#### **Amendment 87**

**Daniel Buda**

#### **Proposal for a directive**

#### **Article 11 – paragraph 1 – subparagraph 1 – point b**



*Text proposed by the Commission*

(b) verify the completeness and accuracy of the information provided;

*Amendment*

(b) verify the completeness, **veracity**, **validity** and accuracy of the information provided;

Or. ro

**Amendment 88**  
**Daniel Buda**

**Proposal for a directive**  
**Article 11 – paragraph 1 – subparagraph 1 – point d**

*Text proposed by the Commission*

(d) verify the content and validity of accompanying documents, if any, that prove compliance with requirements applicable to the service provision to which the applicant is subject in the home Member State;

*Amendment*

(d) verify the content, **veracity** and validity of accompanying documents, if any, that prove compliance with requirements applicable to the service provision to which the applicant is subject in the home Member State;

Or. ro

**Amendment 89**  
**Daniel Buda**

**Proposal for a directive**  
**Article 11 – paragraph 2**

*Text proposed by the Commission*

2. The coordinating authority of the home Member State shall, upon completion of the tasks referred to in paragraph 1, communicate without delay the application to the coordinating authority of the host Member State, with information to the applicant.

*Amendment*

2. The coordinating authority of the home Member State shall, upon completion of the tasks referred to in paragraph 1, communicate without delay the application to the coordinating authority of the host Member State, with information to the applicant. ***This communication shall constitute proof of legal establishment of the applicant in the territory of the home Member State and his or her right to provide in that territory***

*the services to which the application refers.*

Or. ro

**Amendment 90**

**Daniel Buda**

**Proposal for a directive**

**Article 11 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The coordinating authorities of the Member State of origin shall inform the applicant about the general requirements applicable in the host Member State regarding access to, and the exercise of, the service activities envisaged by the applicant, as provided for in Article 7 of Directive 2006/123/EC.**

Or. ro

**Amendment 91**

**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**

**Article 11 – paragraph 4 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

***The Commission shall adopt technical rules for the handling and processing of the application by means of implementing acts. These rules shall include time-limits on the expiration of the application due to inaction of the applicant.***

***deleted***

Or. en

**Amendment 92**

**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**

**Article 11 – paragraph 4 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19(2).*

*deleted*

Or. en

**Amendment 93**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

**Proposal for a directive**

**Article 12**

*Text proposed by the Commission*

*Amendment*

*[...]*

*deleted*

Or. fr

**Amendment 94**

**Kosma Zlotowski, Angel Dzhambazki**

**Proposal for a directive**

**Article 12 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

Within two weeks from receiving the application the coordinating authority of the host Member State shall examine it and inform the applicant and the home Member State of any requirements applicable to temporary cross-border provisions under the legislation of the host Member State with the exception of those referred to in Article 5(4). In line with the rights of Member States as referred to in Article 10, the coordinating authority of the host Member State may within the same time-

Within two weeks from receiving the application the coordinating authority of the host Member State shall examine it and inform the applicant and the home Member State of any requirements applicable to temporary cross-border provisions under the legislation of the host Member State with the exception of those referred to in Article 5(4). ***The application form has to include the information about above mentioned requirements.*** In line with the rights of Member States as referred to in

limit, decide to object to the issue of the European services e-card by the coordinating authority of the home Member State where it demonstrates that the application of a prior authorisation scheme, prior notification scheme or requirements to the applicant is justified for one of those overriding reasons of public interest set out in Article 16 of Directive 2006/123/EC or is admissible in accordance with other acts of EU law.

Article 10, the coordinating authority of the host Member State may within the same time-limit, decide to object to the issue of the European services e-card by the coordinating authority of the home Member State where it demonstrates that the application of a prior authorisation scheme, prior notification scheme or requirements to the applicant is justified for one of those overriding reasons of public interest set out in Article 16 of Directive 2006/123/EC or is admissible in accordance with other acts of EU law. ***The objection of an application should be always justified.***

Or. en

## **Amendment 95**

**Kostas Chrysogonos, Jiří Maštálka**

### **Proposal for a directive**

#### **Article 12 – paragraph 1 – subparagraph 1**

##### *Text proposed by the Commission*

Within two weeks from receiving the application the coordinating authority of the host Member State shall examine it and inform the applicant and the home Member State of any requirements applicable to temporary cross-border provisions under the legislation of the host Member State with the exception of those referred to in Article 5(4). In line with the rights of Member States as referred to in Article 10, the coordinating authority of the host Member State may ***within the same time-limit***, decide to object to the issue of the European services e-card by the coordinating authority of the home Member State where it demonstrates that the application of a prior authorisation scheme, prior notification scheme or requirements to the applicant is justified for one of those overriding reasons of

##### *Amendment*

Within two weeks from receiving the application the coordinating authority of the host Member State shall examine it and inform the applicant and the home Member State of any requirements applicable to temporary cross-border provisions under the legislation of the host Member State with the exception of those referred to in Article 5(4). In line with the rights of Member States as referred to in Article 10, the coordinating authority of the host Member State may, decide to object to the issue of the European services e-card by the coordinating authority of the home Member State where it demonstrates that the application of a prior authorisation scheme, prior notification scheme or requirements to the applicant is justified for one of those overriding reasons of public interest set out in Article 16 of

public interest set out in Article 16 of Directive 2006/123/EC or is admissible in accordance with other acts of EU law.

Directive 2006/123/EC or is admissible in accordance with other acts of EU law.

Or. en

**Amendment 96**  
**Daniel Buda**

**Proposal for a directive**  
**Article 12 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The host Member State shall take due account in that assessment of the requirements that the applicant already meets in its home Member States. For the purpose of that assessment and within the above-mentioned time-limit, the coordinating authority of the host Member State shall be allowed to request necessary clarifications or necessary additional information from the home Member State or the applicant which is not yet contained in the application. In that case, the time limit referred to in this paragraph is suspended until the requested necessary clarification or necessary additional information is supplied. The procedure for requesting clarifications or additional information will be laid down by way of the delegated acts referenced in paragraph 4.

*Amendment*

The host Member State shall take due account in that assessment of the requirements that the applicant already meets in its home Member States. For the purpose of that assessment and within the above-mentioned time-limit, the coordinating authority of the host Member State shall be allowed to request necessary clarifications or necessary additional information from the ***coordinating authorities of the*** home Member State or the applicant which is not yet contained in the application. In that case, the time limit referred to in this paragraph is suspended until the requested necessary clarification or necessary additional information is supplied. ***If the host Member State ascertains that the requirements already met by the applicant in the home Member State effectively correspond to its own, the coordinating authority of the host Member State may not object to the issuing of the European services e-card.*** The procedure for requesting clarifications or additional information will be laid down by way of the delegated acts referenced in paragraph 4.

Or. ro

## Amendment 97

Kostas Chrysogonos, Jiří Maštálka

### Proposal for a directive

#### Article 12 – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

The host Member State shall take due account in that assessment of the requirements that the applicant already meets in its home Member States. For the purpose of that assessment and within the above-mentioned time-limit, the coordinating authority of the host Member State shall be allowed to request necessary clarifications or necessary additional information from the home Member State or the applicant ***which is not yet contained in the application***. In that case, the time limit referred to in this paragraph is suspended until the requested necessary clarification or necessary additional information is supplied. ***The procedure for requesting*** clarifications or additional information ***will be laid down by way of the delegated acts referenced in paragraph 4.***

*Amendment*

The host Member State shall take due account in that assessment of the requirements that the applicant already meets in its home Member States. For the purpose of that assessment and within the above-mentioned time-limit, the coordinating authority of the host Member State shall be allowed to request necessary clarifications or necessary additional information from the home Member State or the applicant. In that case, the time limit referred to in this paragraph is suspended until the requested necessary clarification or necessary additional information is supplied. ***A failure to provide the coordinating authority of the host Member State with requested*** clarifications or additional information ***in due time shall lead to an expiration of the application.***

Or. en

## Amendment 98

Kostas Chrysogonos, Jiří Maštálka

### Proposal for a directive

#### Article 12 – paragraph 1 – subparagraph 3

*Text proposed by the Commission*

***An objection to grant a European services e-card may not be based on non-compliance with one of the requirements listed in Article 5(5). The Commission shall have access, via IMI, to the decision of objection by the coordinating authority of the host Member State.***

*Amendment*

***deleted***

## **Amendment 99**

**Kostas Chrysogonos, Jiří Maštálka**

### **Proposal for a directive**

#### **Article 12 – paragraph 2**

##### *Text proposed by the Commission*

2. Taking into account the rights of Member States as referred to in Article 10, if the coordinating authority of the host Member State does not react within the time-limit referred to in paragraph 1, that time limit shall automatically be extended by two additional weeks and the electronic platform where the application for a European services e-card has been submitted shall issue an alert to the coordinating authority of the host Member State ***to the effect that failure to react shall imply that there is no objection to the issue of the European services e-card to the applicant.***

##### *Amendment*

2. Taking into account the rights of Member States as referred to in Article 10, if the coordinating authority of the host Member State does not react within the time-limit referred to in paragraph 1, that time limit shall automatically be extended by two additional weeks and the electronic platform where the application for a European services e-card has been submitted shall issue an alert to the coordinating authority of the host Member State. ***A European Services e-card can only be issued to a provider with the active consent of the host Member State.***

## **Amendment 100**

**Kosma Zlotowski, Angel Dzhambazki**

### **Proposal for a directive**

#### **Article 12 – paragraph 2 a (new)**

##### *Text proposed by the Commission*

##### *Amendment*

***2a. Before issuing the objection by the coordinating authority of the host Member State, the applicant shall have a possibility to fulfil the requirements to which he was not obliged in the home Member State. In that case, the time-limit referred to in paragraph 1, shall automatically be extended by two additional weeks. The electronic platform,***

*where the application for a European services e-card has been submitted, shall issue an alert to the coordinating authority of the home Member State to the effect that failure to fulfil requirements by applicant shall imply that the European services e-card shall not be issued to the applicant.*

Or. en

#### **Amendment 101**

**Kostas Chrysogonos, Jiří Maštálka**

#### **Proposal for a directive**

#### **Article 12 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

*If the host Member State does not object in accordance with paragraph 1, the coordinating authority of the home Member State shall issue the European services e-card without delay upon expiration of the extended time-limit resulting from the application of paragraph 2. In the absence of any objection under the second subparagraph of paragraph 1 and failing a decision by the coordinating authority of the home Member State upon expiration of the extended time-limit resulting from the application of paragraph 2, the European services e-card shall be deemed to have been issued by the home Member State in the terms communicated to the host Member State in accordance with Article 11(2).*

*deleted*

Or. en

#### **Amendment 102**

**Kostas Chrysogonos, Jiří Maštálka**



**Proposal for a directive**  
**Article 12 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

**4.     *The Commission is empowered to adopt delegated acts in accordance with Article 18 in order to specify the procedure for the coordinating authority of the host Member State to request clarifications or additional information from the home Member State or the applicant, and to modify, if necessary, the time-limits laid down in paragraph 1.***     *deleted*

Or. en

**Amendment 103**  
**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**  
**Article 12 – paragraph 6 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

***The Commission shall adopt technical rules for the handling and processing of the application under paragraphs 1 and 2 by means of implementing acts. These rules shall include time-limits on the expiration of the application due to inaction of the applicant.***     *deleted*

Or. en

**Amendment 104**  
**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**  
**Article 12 – paragraph 6 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

***Those implementing acts shall be adopted in accordance with the examination***     *deleted*

*procedure referred to in Article 19(2).*

Or. en

**Amendment 105**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

**Proposal for a directive**

**Article 13**

*Text proposed by the Commission*

*Amendment*

[...]

*deleted*

Or. fr

**Amendment 106**

**Kosma Zlotowski, Angel Dzhambazki**

**Proposal for a directive**

**Article 13 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

In the context of a procedure for issuing a European services e-card for establishment in the form of a branch, agency or office, the coordinating authority of the host Member State shall, within **four** weeks from receiving the application, identify which, if any, prior authorisation scheme or prior notification scheme as referred to in Article 5(2) is applicable, in compliance with EU law, to such establishment. If such a prior authorisation scheme or prior notification scheme has been identified, the host Member State shall also identify the conditions which the applicant is required to comply with, with the exception of those referred to in Article 5(5). ***The host Member State shall indicate why the application of such a prior authorisation scheme or prior notification scheme is necessary and proportionate for the***

In the context of a procedure for issuing a European services e-card for establishment in the form of a branch, agency or office, the coordinating authority of the host Member State shall, within **two** weeks from receiving the application, identify which, if any, prior authorisation scheme or prior notification scheme as referred to in Article 5(2) is applicable, in compliance with EU law, to such establishment. If such a prior authorisation scheme or prior notification scheme has been identified, the host Member State shall also identify the conditions which the applicant is required to comply with, with the exception of those referred to in Article 5(5).

*pursuance of overriding reasons of public interest.*

Or. en

**Amendment 107**

**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**

**Article 13 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*The host Member State shall immediately inform the applicant and the coordinating authority of the home Member State of the prior authorisation or prior notification scheme in question, the conditions which the applicant is required to comply with and of the necessity and proportionality thereof.*

*deleted*

Or. en

**Amendment 108**

**Kosma Złotowski, Angel Dzhambazki**

**Proposal for a directive**

**Article 13 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

The host Member State shall immediately inform the applicant and the coordinating authority of the home Member State of the prior authorisation or prior notification scheme in question, the conditions which the applicant is required to comply with *and of the necessity and proportionality thereof.*

The host Member State shall immediately inform the applicant and the coordinating authority of the home Member State of the prior authorisation or prior notification scheme in question, the conditions which the applicant is required to comply with.

Or. en

## Amendment 109

Kostas Chrysogonos, Jiří Maštálka

### Proposal for a directive

#### Article 13 – paragraph 2

*Text proposed by the Commission*

2. Taking into account the rights of Member States as referred to in Article 10, if the coordinating authority of the host Member State does not react within the time-limit referred to in paragraph 1, that time limit shall automatically be extended by two additional weeks and the electronic platform where the application for a European services e-card has been submitted shall issue an alert to the coordinating authority of the host Member State ***to the effect that failure to react shall imply that the European services e-card shall be issued to the applicant.***

*Amendment*

2. Taking into account the rights of Member States as referred to in Article 10, if the coordinating authority of the host Member State does not react within the time-limit referred to in paragraph 1, that time limit shall automatically be extended by two additional weeks and the electronic platform where the application for a European services e-card has been submitted shall issue an alert to the coordinating authority of the host Member State.

Or. en

## Amendment 110

Kostas Chrysogonos, Jiří Maštálka

### Proposal for a directive

#### Article 13 – paragraph 4 – subparagraph 1

*Text proposed by the Commission*

The coordinating authority of the host Member State shall assess, within ***one week*** upon receipt of proof of compliance with the conditions identified in accordance with paragraph 1, whether to issue the European services e-card or reject the application for the European services e-card.

*Amendment*

The coordinating authority of the host Member State shall assess, within ***four weeks*** upon receipt of proof of compliance with the conditions identified in accordance with paragraph 1, whether to issue the European services e-card or reject the application for the European services e-card.

Or. en

#### **Amendment 111**

**Kosma Zlotowski, Angel Dzhambazki**

#### **Proposal for a directive**

#### **Article 13 – paragraph 4 – subparagraph 1**

*Text proposed by the Commission*

The **coordinating** authority of the host Member State shall assess, within **one week** upon receipt of proof of compliance with the conditions identified in accordance with paragraph 1, whether to issue the European services e-card or reject the application for the European services e-card.

*Amendment*

The **competent** authority of the host Member State shall assess, within **two weeks** upon receipt of proof of compliance with the conditions identified in accordance with paragraph 1, whether to issue the European services e-card or reject the application for the European services e-card.

Or. en

#### **Amendment 112**

**Kosma Zlotowski, Angel Dzhambazki**

#### **Proposal for a directive**

#### **Article 13 – paragraph 4 – subparagraph 2**

*Text proposed by the Commission*

In case the **coordinating** authority of the host Member State decides to issue the European services e-card, it shall do so without delay.

*Amendment*

In case the **competent** authority of the host Member State decides to issue the European services e-card, it shall do so without delay.

Or. en

#### **Amendment 113**

**Kosma Zlotowski, Angel Dzhambazki**

#### **Proposal for a directive**

#### **Article 13 – paragraph 4 – subparagraph 3**

*Text proposed by the Commission*

Alternatively, the **coordinating** authority of the host Member State may inform the applicant and the **coordinating** authority of

*Amendment*

Alternatively, the **competent** authority of the host Member State may inform the applicant and the **competent** authority of

the home Member State of its intention to reject the application, in which case the applicant shall have a *week* to present its observations.

the home Member State of its intention to reject the application, in which case the applicant shall have a *two weeks* to present its observations.

Or. en

#### **Amendment 114**

**Daniel Buda**

#### **Proposal for a directive**

#### **Article 13 – paragraph 4 – subparagraph 4**

##### *Text proposed by the Commission*

Upon receipt of the observations of the applicant or, where no observations have been made, upon expiration of the time-limit to present those observations, the coordinating authority of the host Member State shall decide, within one week, whether to issue the European services e-card or reject the application for the European services e-card.

##### *Amendment*

Upon receipt of the observations of the applicant or, where no observations have been made, upon expiration of the time-limit to present those observations, the coordinating authority of the host Member State shall decide, within one week, whether to issue the European services e-card or reject the application for the European services e-card. *A declaration of intention to reject the application and the decision rejecting the application, notified to the applicant for a European services e-card through the electronic platform on which the standard application form is made available, must be fully reasoned, specifying which of the conditions specified under paragraph (1) was not considered to be fulfilled by the applicant and why.*

Or. ro

#### **Amendment 115**

**Kosma Zlotowski, Angel Dzhambazki**

#### **Proposal for a directive**

#### **Article 13 – paragraph 4 – subparagraph 4**

*Text proposed by the Commission*

Upon receipt of the observations of the applicant or, where no observations have been made, upon expiration of the time-limit to present those observations, the **coordinating** authority of the host Member State shall decide, within one week, whether to issue the European services e-card or reject the application for the European services e-card.

*Amendment*

Upon receipt of the observations of the applicant or, where no observations have been made, upon expiration of the time-limit to present those observations, the **competent** authority of the host Member State shall decide, within one week, whether to issue the European services e-card or reject the application for the European services e-card. ***Rejection of an application shall always be justified.***

Or. en

**Amendment 116**

**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**

**Article 13 – paragraph 4 – subparagraph 4**

*Text proposed by the Commission*

Upon receipt of the observations of the applicant or, where no observations have been made, upon expiration of the time-limit to present those observations, the coordinating authority of the host Member State shall decide, ***within one week***, whether to issue the European services e-card or reject the application for the European services e-card.

*Amendment*

Upon receipt of the observations of the applicant or, where no observations have been made, upon expiration of the time-limit to present those observations, the coordinating authority of the host Member State shall decide ***in due time*** whether to issue the European services e-card or reject the application for the European services e-card.

Or. en

**Amendment 117**

**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**

**Article 13 – paragraph 5 – subparagraph 1**

*Text proposed by the Commission*

The coordinating authority of the host

*Amendment*

The coordinating authority of the host

Member State shall be allowed to request necessary clarifications or necessary additional information from the home Member State or the applicant ***which is not yet contained in the application***. In that case, the time limits referred to in paragraphs 1 and 4 are suspended until the requested necessary clarification or necessary additional information is supplied.

Member State shall be allowed to request necessary clarifications or necessary additional information from the home Member State or the applicant. In that case, the time limits referred to in paragraphs 1 and 4 are suspended until the requested necessary clarification or necessary additional information is supplied. ***A failure to provide the coordinating authority of the host Member State with the requested clarification or additional information in due time shall lead to an expiration of the application.***

Or. en

#### **Amendment 118**

**Kosma Zlotowski, Angel Dzhambazki**

#### **Proposal for a directive**

#### **Article 13 – paragraph 5 – subparagraph 1**

*Text proposed by the Commission*

The ***coordinating*** authority of the host Member State shall be allowed to request necessary clarifications or necessary additional information from the home Member State or the applicant which is not yet contained in the application. In that case, the time limits referred to in paragraphs 1 and 4 are suspended until the requested necessary clarification or necessary additional information is supplied.

*Amendment*

The ***competent*** authority of the host Member State shall be allowed to request necessary clarifications or necessary additional information from the home Member State or the applicant which is not yet contained in the application. In that case, the time limits referred to in paragraphs 1 and 4 are suspended until the requested necessary clarification or necessary additional information is supplied.

Or. en

#### **Amendment 119**

**Kostas Chrysogonos, Jiří Maštálka**

#### **Proposal for a directive**

#### **Article 13 – paragraph 5 – subparagraph 2**



*Text proposed by the Commission*

Clarifications and additional information **shall** be requested in accordance with the procedure laid down in accordance with paragraph 7.

*Amendment*

Clarifications and additional information **may** be requested in accordance with the procedure laid down in accordance with paragraph 7.

Or. en

**Amendment 120**

**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**

**Article 13 – paragraph 7**

*Text proposed by the Commission*

**7. The Commission shall be empowered to adopt delegated acts in accordance with Article 18 in order to specify the procedure for the coordinating authority of the host Member State to request clarifications or additional information from the home Member State as referred to in paragraph 5, and to modify if necessary the time-limits mentioned in paragraphs 1 and 4.**

*Amendment*

**deleted**

Or. en

**Amendment 121**

**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**

**Article 13 – paragraph 9 – subparagraph 1**

*Text proposed by the Commission*

**Member States shall not require application for a registration of a branch under company law as a precondition to assess the application for a European services e-card for establishment.**

*Amendment*

**deleted**

**Amendment 122**

**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**

**Article 13 – paragraph 10 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

*The Commission shall adopt technical rules for the handling and processing of the application under paragraphs 1, 2, 3 and 4 by means of implementing acts. These rules shall include time-limits on the expiration of the application due to inaction of the applicant.* *deleted*

Or. en

**Amendment 123**

**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**

**Article 13 – paragraph 10 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19(2).* *deleted*

Or. en

**Amendment 124**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

**Proposal for a directive**

**Article 14**

*Text proposed by the Commission*

*Amendment*

## **Article 14**

*deleted*

### ***Once-only principle in the home Member State***

***1. Coordinating authorities in the home Member State shall not require providers to provide information and documents which are available to those authorities in accordance with paragraph 2 of this Article or Article 14(3) of Regulation ....[ESC Regulation]..... when applying for a European services e-card or to prove compliance, in the context of a European services e-card for establishment, with conditions identified by the coordinating authority of the host Member State in accordance with Article 13(1).***

***2. The coordinating authority in the home Member State shall obtain the information and documents required for the purposes referred to in paragraph 1 which are available to other authorities in the home Member State or originate from those authorities, in accordance with the rules on the protection of personal data as provided for in Directive 95/46/EC, Regulation (EU) No 2016/679 and national legislation.***

Or. fr

## **Amendment 125**

**Kosma Zlotowski, Angel Dzhambazki**

### **Proposal for a directive**

#### **Article 15 – paragraph 2 – point iii**

##### *Text proposed by the Commission*

(iii) does not meet one or more conditions applicable for temporary cross-border provision as prescribed by the first subparagraph of Article 11(1), the compliance of which, under the national law of the host Member State, is essential to continued legal provision of the services

##### *Amendment*

(iii) ***is subject to a final decision, in compliance with Article 4(5) of Directive 2014/67/EC, not subject to appeal under national law, by the host Member State that it considers the holder*** does not meet one or more conditions applicable for temporary cross-border provision as

in question in its territory;

prescribed by the first subparagraph of Article 11(1), the compliance of which, under the national law of the host Member State, is essential to continued legal provision of the services in question in its territory;

Or. en

## **Amendment 126**

**Kosma Zlotowski, Angel Dzhambazki**

### **Proposal for a directive**

#### **Article 15 – paragraph 2 – point iv**

*Text proposed by the Commission*

(iv) does not meet one or more conditions imposed in the context of a prior authorisation or prior notification scheme applicable for establishment as prescribed by the first subparagraph of Article 12(1), the compliance of which, under the national law of the host Member State, is essential to continued legal provision of the services in question in its territory.

*Amendment*

(iv) ***is subject to a final decision, in compliance with Article 4(5) of Directive 2014/67/EC, not subject to appeal under national law, by the host Member State that it considers the holder*** does not meet one or more conditions imposed in the context of a prior authorisation or prior notification scheme applicable for establishment as prescribed by the first subparagraph of Article 12(1), the compliance of which, under the national law of the host Member State, is essential to continued legal provision of the services in question in its territory.

Or. en

## **Amendment 127**

**Daniel Buda**

### **Proposal for a directive**

#### **Article 17 – paragraph 5 – subparagraph 1**

*Text proposed by the Commission*

***Coordinating*** authorities shall exchange information on their own initiative and

*Amendment*

***For the purposes of administrative cooperation based, inter alia, on the***

give assistance to other coordinating authorities in relation to events that have come to their knowledge which may determine a suspension or revocation of the European services e-card in question or the need to otherwise update its content.

***regular updating of information, the coordinating*** authorities shall exchange information on their own initiative and give assistance to other coordinating authorities in relation to events that have come to their knowledge which may determine a suspension or revocation of the European services e-card in question or the need to otherwise update its content.

Or. ro

#### **Amendment 128**

**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

#### **Proposal for a directive**

#### **Article 17 – paragraph 7**

*Text proposed by the Commission*

*Amendment*

***7. The Commission shall adopt technical rules for the processing of suspensions, revocations, updates and cancelations of European services e-cards by means of implementing acts, including provisions on the introduction and withdrawal of alerts of possible suspension and revocation and on the interconnection between these procedures and the alert mechanism set up under Article 32 of Directive 2006/123/EC as well as the interconnection between a valid European services e-card and the procedure for case-by-case derogations in accordance with Article 18 of Directive 2006/123/EC.***

***deleted***

***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19(2).***

Or. fr

#### **Amendment 129**

**Kostas Chrysogonos, Jiří Maštálka**

**Proposal for a directive**

**Article 17 – paragraph 7 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

***The Commission shall adopt technical rules for the processing of suspensions, revocations, updates and cancellations of European services e-cards by means of implementing acts, including provisions on the introduction and withdrawal of alerts of possible suspension and revocation and on the interconnection between these procedures and the alert mechanism set up under Article 32 of Directive 2006/123/EC as well as the interconnection between a valid European services e-card and the procedure for case-by-case derogations in accordance with Article 18 of Directive 2006/123/EC.***

***deleted***

Or. en

**Amendment 130**

**Daniel Buda**

**Proposal for a directive**

**Article 18 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.  
***Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.***

Or. ro

**Amendment 131**  
**Daniel Buda**

**Proposal for a directive**  
**Article 20 – paragraph 1**

*Text proposed by the Commission*

The Commission, with Member States, social partners and other relevant stakeholders, will establish monitoring arrangements to monitor and assess the implementation and impacts of this Directive, in particular how it impacts freedom of establishment and freedom to provide services across Member States for the service activities covered, namely by reducing costs for providers, enhancing transparency about providers expanding cross-border and increasing competition, and how it impacts prices and quality of the services concerned, considering relevant indicators.

*Amendment*

The Commission, with Member States, social partners and other relevant stakeholders, will establish monitoring arrangements to monitor and assess the implementation and impacts of this Directive, in particular how it impacts freedom of establishment and freedom to provide services across Member States for the service activities covered, namely by reducing ***bureaucratic obstacles and*** costs for providers, enhancing transparency about providers expanding cross-border and increasing competition ***and competitiveness***, and how it impacts prices and quality of the services concerned, considering relevant indicators.

Or. ro

**Amendment 132**  
**Gilles Lebreton, Mylène Troszczynski, Marie-Christine Boutonnet**

**Proposal for a directive**  
**Article 21**

*Text proposed by the Commission*

***Article 21***

***Review clause***

***By [24 months after the date for transposition of this Directive] the Commission shall carry out an assessment of the appropriateness of additional measures to coordinate provisions concerning the freedom of establishment and the freedom to provide services for which a European services e-card has***

*Amendment*

***deleted***

*been introduced.*

*By 36 months after the date for transposition of this Directive and at the latest every five years thereafter, the Commission shall carry out an evaluation of this Directive and submit to the European Parliament and the Council a report on its performance. That report shall consider the need to adapt the procedures for issuing, updating, suspending or revoking a European services e-card taking into account the latest developments in e-Government and shall be included in the report assessing the overall performance of Regulation ...[ESC Regulation]... in line with its Article 19.*

Or. fr

#### **Amendment 133**

**Kosma Zlotowski, Angel Dzhambazki**

#### **Proposal for a directive**

#### **Article 23 – paragraph 1**

*Text proposed by the Commission*

This Directive shall enter into force *on the [twentieth] day* following *that* of its publication in the Official Journal of the European Union.

*Amendment*

This Directive shall enter into force *after [three] years* following *the day* of its publication in the Official Journal of the European Union.

Or. en

#### **Amendment 134**

**Kosma Zlotowski, Angel Dzhambazki**

#### **Proposal for a directive**

#### **Annex I – paragraph 1 – part 4 – paragraph 6 – subparagraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*



***Group 82.4. registration of a branch,  
agency, office***

Or. en

**Amendment 135**

**Kosma Zlotowski, Angel Dzhambazki**

**Proposal for a directive**

**Annex I – paragraph 1 – part 4 – paragraph 6 – subparagraph 3 b (new)**

*Text proposed by the Commission*

*Amendment*

***82.5 VAT registration***

Or. en

**Amendment 136**

**Kosma Zlotowski, Angel Dzhambazki**

**Proposal for a directive**

**Annex I – paragraph 1 – part 4 – paragraph 6 – subparagraph 3 c (new)**

*Text proposed by the Commission*

*Amendment*

***82.6 registration for social security  
purposes***

Or. en