



**2016/2237(INL)**

17.1.2018

# **AMENDMENTS**

## **1 - 165**

**Draft report**

**Jiří Maštálka**

Statute for social and solidarity-based enterprises  
(2016/2237(INL))



**Amendment 1**  
**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**  
**Citation –1 (new)**

*Motion for a resolution*

*Amendment*

**-1** *having regard to its declaration of 10 March 2011 on establishing European statutes for mutual societies, associations and foundations,*

Or. fr

**Amendment 2**  
**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**  
**Citation 12 a (new)**

*Motion for a resolution*

*Amendment*

– *having regard to the July 2011 study commissioned by Parliament's Committee on Employment and Social Affairs entitled 'The role of mutual societies in the 21st century',*

Or. fr

**Amendment 3**  
**Evelyn Regner**

**Motion for a resolution**  
**Citation 12 a (new)**

*Motion for a resolution*

*Amendment*

– *having regard to the report on workers representation on board level in Europe (2015/2222(INI),*

Or. en

## Amendment 4

Marie-Christine Vergiat, Jiří Maštálka

### Motion for a resolution

#### Recital A

##### *Motion for a resolution*

A. whereas the **concept of 'social enterprise' is used in some legal systems interchangeably with that of 'solidarity-based enterprise'**; whereas for the purposes of this resolution the concepts of 'social enterprise' and 'solidarity-based enterprise' are intended to be **synonymous**; whereas the concept of 'social enterprise' is **not clear-cut, and overlaps with that of more traditional social economy** organisations, such as cooperatives, mutual organisations, associations and foundations; whereas **discussions about the** boundaries of the concept of 'social enterprise' are **taking place** among social scientists **and lawyers**; whereas it seems imperative to **agree at present on a legal definition** that makes a solid contribution to the **development of social enterprises** by the European Union and public administrations at all levels possible;

##### *Amendment*

A. whereas the **terms 'social enterprises' and 'solidarity-based enterprises' are often confused, but the things which they denote are not invariably the same and can differ greatly from one Member State to another**; whereas the concept of 'social enterprise' **relates essentially to** organisations such as cooperatives, mutual organisations, associations and foundations; whereas **the** boundaries of the concept of 'social enterprise' are **giving rise to numerous discussions** among **lawyers and** social scientists; whereas it seems imperative to **move without delay towards better recognition of the concept of 'social and solidarity-based enterprise' by establishing a European label** that makes a solid contribution to the **efforts** by the European Union and public administrations at all levels possible **to develop social and solidarity-based enterprises and all enterprises whose intrinsically social purpose could thus be recognised by means of such a label, which could change in the light of trends seen in enterprises in this sector**; whereas, **therefore, 'social and solidarity-based enterprises' will be the preferred term in this resolution;**<sup>1a</sup>

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<sup>1a</sup> *The terms mentioned in this recital, which do not mean the same things, are often mistranslated into English. In this resolution, the term 'entreprise sociale' should be rendered by 'social enterprise'; 'entreprise de l'économie sociale', by*

*'social economy enterprise'; and 'entreprise basée sur l'économie sociale et la solidarité', by 'social and solidarity-based enterprise'.*

Or. fr

**Amendment 5**  
**Daniel Buda**

**Motion for a resolution**  
**Recital A**

*Motion for a resolution*

A. whereas the concept of 'social enterprise' is used in some legal systems interchangeably with that of 'solidarity-based enterprise'; whereas for the purposes of this resolution the concepts of 'social enterprise' and 'solidarity-based enterprise' are intended to be synonymous; whereas the concept of 'social enterprise' is not clear-cut, ***and overlaps with that of more traditional social economy organisations, such as cooperatives, mutual organisations, associations and foundations; whereas discussions about the boundaries of the concept of 'social enterprise' are taking place among social scientists and lawyers; whereas it seems imperative to agree at present on a legal definition that makes a solid contribution to the development of social enterprises by the European Union and public administrations at all levels possible;***

*Amendment*

A. whereas the concept of 'social enterprise' is used in some legal systems interchangeably with that of 'solidarity-based enterprise'; whereas for the purposes of this resolution the concepts of 'social enterprise' and 'solidarity-based enterprise' are intended to be synonymous; whereas the concept of 'social enterprise' is not clear-cut ***at EU level; whereas there is no uniform definition of 'social enterprise' across the Member States and whereas this concept also covers*** traditional social economy organisations such as cooperatives, mutual organisations, associations and foundations; whereas discussions about the boundaries of the concept of 'social enterprise' are taking place among social scientists and lawyers; whereas ***there is currently an overriding need to agree on a single harmonised pan-EU*** legal definition that makes a solid contribution to the development of social enterprises by the European Union and public administrations at all levels possible;

Or. ro

**Amendment 6**

**Motion for a resolution**

**Recital A**

*Motion for a resolution*

A. whereas the concept of ‘social enterprise’ is used in some legal systems interchangeably with that of ‘solidarity-based enterprise’; whereas for the purposes of this resolution the concepts of ‘social enterprise’ and ‘solidarity-based enterprise’ **are intended** to be synonymous; whereas the concept of ‘social enterprise’ **is not clear-cut, and** overlaps with that of more traditional social economy organisations, such as cooperatives, mutual organisations, associations and foundations; whereas **discussions about the boundaries of the concept of ‘social enterprise’ are taking place among social scientists and lawyers; whereas it seems imperative to agree at present on a legal definition that makes a solid contribution to the development of social enterprises by the European Union and public administrations at all levels possible;**

*Amendment*

A. whereas the concept of ‘social enterprise’ is used in some legal systems interchangeably with that of ‘solidarity-based enterprise’; whereas, **however**, for the purposes of this resolution the concepts of ‘social enterprise’ and ‘solidarity-based enterprise’ **will not be deemed** to be synonymous; whereas, **firstly**, the concept of ‘social enterprise’ overlaps with that of more traditional social economy organisations, such as cooperatives, mutual organisations, associations and foundations; whereas, **secondly, solidarity-based enterprise is different from social enterprise to the extent that sustainable development and the desire to involve users in policy-making form part of the foundations underpinning its activities; whereas solidarity-based enterprise raises the same kind of issues as social enterprise, but the approaches that it applies to them are not necessarily related to internal democracy or mutualisation;**

Or. fr

**Amendment 7**

**Angel Dzhambazki**

**Motion for a resolution**

**Recital A**

*Motion for a resolution*

A. whereas the concept of ‘social enterprise’ is used in some legal systems interchangeably with that of ‘solidarity-based enterprise’; whereas for the purposes of this resolution the concepts of ‘social

*Amendment*

A. whereas the concept of ‘social enterprise’ is used in some legal systems interchangeably with that of ‘solidarity-based enterprise’; whereas for the purposes of this resolution the concepts of ‘social

enterprise' and 'solidarity-based enterprise' are intended to be synonymous; whereas the concept of 'social enterprise' is not *clear-cut, and overlaps with that of more traditional social economy organisations*, such as cooperatives, mutual organisations, associations and foundations; whereas discussions about the boundaries of the concept of 'social enterprise' are taking place among social scientists and lawyers; whereas it seems imperative to *agree at present on a legal definition that makes* a solid contribution to the development of social *enterprises by the European Union* and public administrations at all levels *possible*;

enterprise' and 'solidarity-based enterprise' are intended to be synonymous; whereas *a definition of* the concept of 'social enterprise' is not *embedded in all Member States' legislative framework, and whereas alternative legal structures are made available and widely used*, such as cooperatives, mutual organisations, associations and foundations; whereas discussions about the boundaries of the concept of 'social enterprise' are taking place among social scientists and lawyers; whereas it seems imperative to *support Member States' efforts in making* a solid contribution to the development of *the social enterprise sectors and cooperation with* public administrations at all levels;

Or. en

## **Amendment 8** **Virginie Rozière**

### **Motion for a resolution** **Recital A**

#### *Motion for a resolution*

A. whereas the concept of 'social enterprise' is used in some legal systems interchangeably with that of 'solidarity-based enterprise'; whereas for the purposes of this resolution the concepts of 'social enterprise' and 'solidarity-based enterprise' are intended to be synonymous; whereas the concept of 'social enterprise' is not clear-cut, and overlaps with that of more traditional social economy organisations, such as cooperatives, mutual organisations, associations and foundations; whereas discussions about the boundaries of the concept of 'social enterprise' are taking place among social scientists and lawyers; whereas it seems imperative to agree at present on a legal definition that makes a solid contribution to the development of

#### *Amendment*

A. whereas the concept of 'social enterprise' is used in some legal systems interchangeably with that of 'solidarity-based enterprise'; whereas for the purposes of this resolution the concepts of 'social enterprise' and 'solidarity-based enterprise' are intended to be synonymous; whereas the concept of 'social enterprise' is not clear-cut, and overlaps with that of more traditional social economy organisations, such as cooperatives, mutual organisations, associations and foundations; whereas discussions about the boundaries of the concept of 'social enterprise' are taking place among social scientists and lawyers; whereas it seems imperative to agree at present on a legal definition that makes a solid contribution to the development of

social enterprises by the European Union and public administrations at all levels possible;

social enterprises by the European Union and public administrations at all levels possible, *including the internal market*;

Or. fr

**Amendment 9**  
**Virginie Rozière**

**Motion for a resolution**  
**Recital A a (new)**

*Motion for a resolution*

*Amendment*

***Aa. whereas the social economy makes a major contribution to the EU economy; whereas, according to estimates, it comprises between 130 000 and 250 000 enterprises and employs a workforce of 14 million; whereas it is continuing to develop and is thus a driver of growth and employment;***

Or. fr

**Amendment 10**  
**Daniel Buda**

**Motion for a resolution**  
**Recital A a (new)**

*Motion for a resolution*

*Amendment*

***4a. whereas the Strasbourg Declaration of January 2014 highlights the need for social enterprises to play a bigger role in the future of Europe and stresses the importance of unlocking their potential for smart, sustainable and inclusive growth.***

Or. ro



**Amendment 11**  
**Daniel Buda**

**Motion for a resolution**  
**Recital A b (new)**

*Motion for a resolution*

*Amendment*

**Ab.** *whereas Parliament highlighted, in its resolutions of 19 February 2009, 20 November 2012 and 10 September 2015, that the social and solidarity-based economy provides employment for more than 14 million people, which represents around 6.5% of workers in the EU and 10% of EU undertakings.*

Or. ro

**Amendment 12**  
**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**  
**Recital B**

*Motion for a resolution*

*Amendment*

**B.** *whereas there are substantial differences among Member States in the way they regulate social enterprises and the organisational forms available to social entrepreneurs under their legal systems; whereas the distinctive organisational forms that social enterprises adopt depend on the existing legal frameworks, on the political economy of welfare provision and on the cultural and historical traditions of **non-profit development** in each country;*

**B.** *whereas there are substantial differences among Member States in the way they regulate social enterprises and the organisational forms available to social entrepreneurs under their legal systems; whereas the distinctive organisational forms that social enterprises adopt depend on the existing legal frameworks, on the political economy of welfare provision and **of solidarity and** on the cultural and historical traditions in each country;*

Or. fr

**Amendment 13**  
**Jean-Marie Cavada, António Marinho e Pinto**

**Motion for a resolution**  
**Recital B**

*Motion for a resolution*

B. whereas there are substantial differences among Member States in the way they regulate social enterprises and the organisational forms available to social entrepreneurs under their legal systems; whereas the distinctive organisational forms that social enterprises adopt depend on the existing legal frameworks, on the political economy of welfare provision and on the cultural and historical traditions of non-profit development in each country;

*Amendment*

B. whereas there are substantial differences among Member States in the way they regulate social enterprises and the organisational forms available to social entrepreneurs under their legal systems; whereas the distinctive organisational forms that social enterprises adopt depend on the existing legal frameworks, on the political economy of welfare provision and on the cultural and historical traditions of *for-profit and* non-profit development in each country;

Or. fr

**Amendment 14**  
**Emil Radev**

**Motion for a resolution**  
**Recital B**

*Motion for a resolution*

B. whereas there are substantial differences among Member States in the way they regulate social enterprises and the organisational forms available to social entrepreneurs under their legal systems; whereas the distinctive organisational forms that social enterprises adopt depend on the existing legal frameworks, on the political economy of welfare provision and on the cultural and historical traditions of non-profit development in each *country*;

*Amendment*

B. whereas there are substantial differences among Member States in the way they regulate social enterprises and the organisational forms available to social entrepreneurs under their legal systems; whereas the distinctive organisational forms that social enterprises adopt depend on the existing legal frameworks, on the political economy of welfare provision and on the cultural and historical traditions of non-profit development in each *Member State*;

Or. bg

**Amendment 15**

**Angel Dzhambazki**

**Motion for a resolution**

**Recital B**

*Motion for a resolution*

B. whereas there are substantial differences among Member States in the way they regulate social enterprises and the organisational forms available to social entrepreneurs under their legal systems; whereas the distinctive organisational forms that social enterprises adopt depend on the existing legal frameworks, on the political economy *of welfare provision and* on the cultural and historical traditions of non-profit development in each country;

*Amendment*

B. whereas there are substantial differences among Member States in the way they regulate social enterprises and the organisational forms available to social entrepreneurs under their legal systems; whereas the distinctive organisational forms that social enterprises adopt depend on the existing legal frameworks, on the political economy, on the cultural and historical traditions of non-profit development in each country, *as well as on regional needs*;

Or. en

**Amendment 16**

**Virginie Rozière**

**Motion for a resolution**

**Recital B**

*Motion for a resolution*

B. whereas there are substantial differences among Member States in the way they regulate social enterprises and the organisational forms available to social entrepreneurs under their legal systems; whereas the distinctive organisational forms that social enterprises adopt depend on the existing legal frameworks, on the political economy of welfare provision and on the cultural and historical traditions *of non-profit development* in each country;

*Amendment*

B. whereas there are substantial differences among Member States in the way they regulate social enterprises and the organisational forms available to social entrepreneurs under their legal systems; whereas the distinctive organisational forms that social enterprises adopt depend on the existing legal frameworks, on the political economy of welfare provision and on the cultural and historical traditions in each country;

Or. fr

## Amendment 17

Marie-Christine Vergiat, Virginie Rozière, Jiří Maštálka

### Motion for a resolution

#### Recital C

##### *Motion for a resolution*

C. whereas in some Member States specific legal forms have been created either by adapting the cooperative model or though the introduction of legal forms that recognise the social commitment taken on by a plurality of entities and that include some features specific for social enterprises; whereas in other Member States **social** enterprises operate using pre-existing legal forms, including legal forms used by **mainstream SMEs**, such as the limited liability company;

##### *Amendment*

C. whereas in some Member States specific legal forms have been created either by adapting the cooperative model, **among others**, or though the introduction of legal forms that recognise the social commitment taken on by a plurality of entities and that include some features specific for social **and solidarity-based** enterprises; whereas in other Member States **those** enterprises operate using pre-existing legal forms, including legal forms used by **conventional companies**, such as the limited liability company **or the public limited company, and whereas in some Member States the legal arrangements may even be optional; whereas it should be noted that even if specific legal forms have been devised for them, social enterprises, in many cases, opt for a variety of other legal forms better suited to their needs and their situation;**

Or. fr

## Amendment 18

Daniel Buda

### Motion for a resolution

#### Recital C

##### *Motion for a resolution*

C. whereas in some Member States specific legal forms have been created either by adapting the cooperative model or though the introduction of legal forms that recognise the social commitment taken on by a plurality of entities and that include

##### *Amendment*

C. whereas in some Member States **such as Italy and Germany**, specific legal forms have been created either by adapting the cooperative model or though the introduction of legal forms that recognise the social commitment taken on by a

some features specific for social enterprises; whereas in other Member States social enterprises operate using pre-existing legal forms, including legal forms used by mainstream SMEs, such as the limited liability company;

plurality of entities and that include some features specific for social enterprises; whereas in other Member States social enterprises operate using pre-existing legal forms (*e.g. associations, foundations and cooperatives*), including legal forms used by mainstream SMEs, such as the limited liability company;

Or. ro

**Amendment 19**  
**Pascal Durand**

**Motion for a resolution**  
**Recital C**

*Motion for a resolution*

C. whereas in some Member States specific legal forms have been created either by adapting the cooperative model or through the introduction of legal forms that recognise the social commitment taken on by a plurality of entities and that include some features specific for social enterprises; whereas in other Member States social enterprises operate using pre-existing legal forms, including legal forms used by mainstream SMEs, such as the limited liability company;

*Amendment*

C. whereas in some Member States specific legal forms have been created either by adapting the cooperative, *mutual, association, or foundation* model or through the introduction of legal forms that recognise the social commitment taken on by a plurality of entities and that include some features specific for social enterprises; whereas in other Member States social enterprises operate using pre-existing legal forms, including legal forms used by mainstream SMEs, such as the limited liability company;

Or. fr

**Amendment 20**  
**Virginie Rozière**

**Motion for a resolution**  
**Recital C**

*Motion for a resolution*

*Amendment*

C. whereas in some Member States specific legal forms have been created either by adapting the cooperative model or through the introduction of legal forms that recognise the social commitment taken on by a plurality of entities and that include some features specific for social enterprises; whereas in other Member States social enterprises operate using pre-existing legal forms, including legal forms used by mainstream SMEs, such as the limited liability company;

C. whereas in some Member States specific legal forms have been created either by adapting the cooperative, ***mutual, association, or foundation*** model or through the introduction of legal forms that recognise the social commitment taken on by a plurality of entities and that include some features specific for social enterprises; whereas in other Member States social enterprises operate using pre-existing legal forms, including legal forms used by mainstream SMEs, such as the limited liability company;

Or. fr

**Amendment 21**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Recital C**

*Motion for a resolution*

C. whereas in some Member States specific legal forms have been created either by adapting the cooperative model or through the introduction of legal forms that recognise the social commitment taken on by a plurality of entities and that include some features specific for social enterprises; whereas in other Member States social enterprises operate using pre-existing legal forms, ***including legal forms used by mainstream SMEs, such as the limited liability company;***

*Amendment*

C. whereas in some Member States specific legal forms have been created either by adapting the cooperative model or through the introduction of legal forms that recognise the social commitment taken on by a plurality of entities and that include some features specific for social enterprises; whereas in other Member States social enterprises ***successfully*** operate using pre-existing legal forms;

Or. en

**Amendment 22**  
**Jiří Maštálka, Kostas Chrysogonos, Kateřina Konečná**

**Motion for a resolution**  
**Recital C**

*Motion for a resolution*

C. whereas in some Member States specific legal forms have been created either by adapting the cooperative model or through the introduction of legal forms that recognise the social commitment taken on by a plurality of entities and that include some features specific for social enterprises; whereas in other Member States social enterprises operate using pre-existing legal forms, including legal forms used by mainstream SMEs, such as the limited liability company;

*Amendment*

C. whereas in some Member States specific legal forms have been created either by adapting the cooperative, ***mutual, association or foundation*** model or through the introduction of legal forms that recognise the social commitment taken on by a plurality of entities and that include some features specific for social enterprises; whereas in other Member States social enterprises operate using pre-existing legal forms, including legal forms used by mainstream SMEs, such as the limited liability company;

Or. en

**Amendment 23**  
**Daniel Buda**

**Motion for a resolution**  
**Recital D**

*Motion for a resolution*

D. whereas the adoption of diverse legal frameworks on social enterprises in many Member States confirm the development of a new kind of entrepreneurship more focused on social value creation; whereas this diversity also confirms that social entrepreneurship is an innovative field;

*Amendment*

D. whereas the adoption of diverse legal frameworks on social enterprises in many Member States confirm the development of a new kind of entrepreneurship more focused on ***principles such as solidarity, accountability and social value creation, working in the general interest and promoting a more sustainable economy by creating jobs and providing innovative products and services***; whereas this diversity also confirms that social entrepreneurship is an innovative field;

Or. ro

**Amendment 24**

Marie-Christine Vergiat, Jiří Maštálka

**Motion for a resolution**

**Recital D**

*Motion for a resolution*

D. whereas the adoption of diverse legal frameworks on social enterprises in many Member States confirm the development of a new kind of entrepreneurship more focused on social value creation; whereas this diversity also confirms that social entrepreneurship is an innovative field;

*Amendment*

D. whereas the adoption of diverse legal frameworks on social enterprises in many Member States confirm the development of a new kind of entrepreneurship more focused on social ***added*** value creation; whereas this diversity also confirms that social entrepreneurship is an innovative field; ***whereas social enterprises are proving particularly resilient to the economic and financial crisis and have capacities for both social and technological innovation;***

Or. fr

**Amendment 25**

**Angel Dzhambazki**

**Motion for a resolution**

**Recital D**

*Motion for a resolution*

D. whereas the adoption of diverse legal frameworks on social enterprises in many Member States confirm the development of a new kind of entrepreneurship more focused on social value creation; ***whereas this diversity also confirms that social entrepreneurship is an innovative field;***

*Amendment*

D. whereas the adoption of diverse legal frameworks on social enterprises in many Member States confirm the development of a new kind of entrepreneurship more focused on social value creation;

Or. en

**Amendment 26**

**Virginie Rozière**



**Motion for a resolution**  
**Recital D**

*Motion for a resolution*

D. whereas the adoption of diverse legal frameworks on social enterprises in many Member States confirm the development of a new kind of entrepreneurship more focused on social value creation; whereas this diversity also confirms that social entrepreneurship is an innovative field;

*Amendment*

D. whereas the adoption of diverse legal frameworks on social enterprises in many Member States confirm the development of a new kind of entrepreneurship more focused on social value creation **and local connections**; whereas this diversity also confirms that social entrepreneurship is an innovative field;

Or. fr

**Amendment 27**  
**Jean-Marie Cavada, António Marinho e Pinto**

**Motion for a resolution**  
**Recital D**

*Motion for a resolution*

D. whereas the adoption of diverse legal frameworks on social enterprises in many Member States confirm the development of a new kind of entrepreneurship more focused on social value creation; whereas this diversity also confirms that social entrepreneurship is an innovative field;

*Amendment*

D. whereas the adoption of diverse legal frameworks on social enterprises in many Member States confirm the development of a new kind of entrepreneurship more focused on social value creation; whereas this diversity also confirms that social entrepreneurship is an innovative **and beneficial** field;

Or. fr

**Amendment 28**  
**Daniel Buda**

**Motion for a resolution**  
**Recital D a (new)**

*Motion for a resolution*

*Amendment*

*Da. whereas Parliament emphasised, in its resolution of 10 September 2015 on social entrepreneurship and social innovation in combating unemployment, that social innovation relates to the development and implementation of new ideas, whether they be products, services or social organisation models, that are designed to meet new social, territorial and environmental demands and challenges, such as the ageing population, depopulation, balancing work and family life, managing diversity, tackling youth unemployment, the integration of those most excluded from the labour market, and combating climate change;*

Or. ro

#### **Amendment 29**

**Marie-Christine Vergiat, Jiří Maštálka, Virginie Rozière**

#### **Motion for a resolution**

##### **Recital E**

###### *Motion for a resolution*

E. whereas, in light of this diversity of legal forms available for the creation of a social enterprise across Member States, there does not seem to exist a consensus in Europe *as to whether it is convenient or necessary at the present moment to set up at EU level a specific form of social enterprise*; whereas Parliament has already stressed *that the development of any new legal frameworks at Union level should be optional for enterprises and preceded by an impact assessment to take* into account the existence of various social business models across the Member States; whereas Parliament has also stressed that any measures should demonstrate Union-wide added value;

###### *Amendment*

E. whereas, in light of this diversity of legal forms available for the creation of a *statute for a social and solidarity-based* enterprise across Member States, there does not seem to exist a consensus in Europe *on setting up a specific form of social enterprise at EU level at this point in time*; whereas Parliament has already stressed *the importance of developing* new legal frameworks at Union level, *but has always made the point that these can only be optional in relation to national frameworks; whereas it takes the view that the impact studies already carried out, for instance on mutual societies, serve to demonstrate that statutes of this type could be introduced on a Europe-wide basis if they took* into account the existence of various social business models

across the Member States; whereas Parliament has also stressed that any measures should demonstrate Union-wide added value;

Or. fr

### **Amendment 30**

**Jean-Marie Cavada, António Marinho e Pinto**

#### **Motion for a resolution**

##### **Recital E**

###### *Motion for a resolution*

E. whereas, in light of this diversity of legal forms available for the creation of a social enterprise *across Member States*, there does not seem to exist a *consensus in Europe* as to whether it is *convenient or necessary* at the present moment to set up at EU level a specific form of social enterprise; whereas Parliament has already stressed that the development of any new legal frameworks at Union level should be optional for enterprises and preceded by an impact assessment to take into account the existence of various social business models across the Member States; whereas Parliament has also stressed that any measures should demonstrate Union-wide added value;

###### *Amendment*

E. whereas, in light of this diversity of legal forms available for the creation of a social enterprise *within the EU*, there does not seem to exist a *single view among the Member States* as to whether it is necessary at the present moment to set up at EU level a specific form of social enterprise; whereas Parliament has already stressed that the development of any new legal frameworks at Union level should be optional for enterprises and preceded by an impact assessment to take into account the existence of various social business models across the Member States; whereas Parliament has also stressed that any measures should demonstrate Union-wide added value;

Or. fr

### **Amendment 31**

**Evelyn Regner**

#### **Motion for a resolution**

##### **Recital E a (new)**

###### *Motion for a resolution*

###### *Amendment*

*Ea. whereas social dialogue is crucially important both in terms of realising the objective of the social market economy, which is full employment with social progress, and in terms of competitiveness and fairness in the EU single market; whereas social dialogue and consultation with the social partners in EU policy-making represent a major social innovation;*

Or. de

**Amendment 32**  
**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**  
**Recital F**

*Motion for a resolution*

F. whereas the fact that there is a choice in the available legal forms has the advantage of permitting social enterprises to shape their structure in the manner which suits them best in the circumstances in question, the tradition where they have their roots and the type of business they wish to conduct;

*Amendment*

F. whereas the fact that there is a choice in the available legal forms has the advantage of permitting social **and solidarity-based** enterprises to shape their structure in the manner which suits them best in the circumstances in question, the tradition where they have their roots and the type of business they wish to conduct;

Or. fr

**Amendment 33**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Recital F**

*Motion for a resolution*

F. whereas the fact that there is a choice in the available legal forms has the advantage of permitting social enterprises to shape their structure in the manner

*Amendment*

F. whereas the fact that there is a choice in the available legal forms has the advantage of permitting social enterprises to shape their structure in the manner

which suits them best in the circumstances in question, the tradition where they have their roots and the type of business they wish to conduct;

which suits them best in the *regional* circumstances in question, the tradition where they have their roots and the type of business they wish to conduct;

Or. en

**Amendment 34**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Recital G**

*Motion for a resolution*

G. whereas notwithstanding the above it is possible to derive from national experiences at Member State level some distinctive features and criteria that a social enterprise should fulfil, regardless of the legal form it adopts, if it is to be considered as such type of enterprise; whereas it seems desirable to establish *at Union level those features and criteria in the form of minimum standards with a view to creating a consistent legal framework for such enterprises and to ensure that all social enterprises have a common identity regardless of the Member State of incorporation*; whereas such *institutional* features should help to maintain social enterprise advantage over alternative ways of organising the production of social services;

*Amendment*

G. whereas notwithstanding the above it is possible to derive from national experiences at Member State level some distinctive features and criteria that a social enterprise should fulfil, regardless of the legal form it adopts, if it is to be considered as such type of enterprise; whereas it seems desirable to establish *a common set of criteria providing an ideological framework in support of the work of* social enterprises *throughout the Union*; whereas such features should help to maintain social enterprise advantage over alternative ways of organising the production of social services;

Or. en

**Amendment 35**  
**Daniel Buda**

**Motion for a resolution**  
**Recital G**

*Motion for a resolution*

G. whereas notwithstanding the above it is possible to derive from national experiences at Member State level some distinctive features and criteria that a social enterprise should fulfil, regardless of the legal form it adopts, if it is to be considered as such type of enterprise; whereas it seems desirable to establish at Union level those features and criteria in the form of minimum standards with a view to creating **a** consistent legal framework for such enterprises and to ensure that all social enterprises have a common identity regardless of the Member State of incorporation; whereas such institutional features should help to maintain social enterprise advantage over alternative ways of organising the production of social services;

*Amendment*

G. whereas notwithstanding the above it is possible to derive from national experiences at Member State level some distinctive features and criteria that a social enterprise should fulfil, regardless of the legal form it adopts, if it is to be considered as such type of enterprise; whereas it seems desirable to establish at Union level those features and criteria in the form of minimum standards with a view to creating **an efficient, consistent and harmonised** legal framework for such enterprises and to ensure, **while recognising their diversity**, that all social enterprises have a common identity regardless of the Member State of incorporation; whereas such institutional features should help to maintain social enterprise advantage over alternative ways of organising the production of social services;

Or. ro

**Amendment 36**

**Jiří Maštálka, Kostas Chrysogonos, Kateřina Konečná**

**Motion for a resolution**

**Recital G**

*Motion for a resolution*

G. whereas notwithstanding the above it is possible to derive from national experiences at Member State level some distinctive features and criteria that a social enterprise should fulfil, regardless of the legal form it adopts, if it is to be considered as such type of enterprise; whereas it seems desirable to establish at Union level those features and criteria in the form of minimum standards with a view to creating a consistent legal framework for such enterprises and to ensure that all social enterprises have a common identity

*Amendment*

G. whereas notwithstanding the above it is possible to derive from national experiences at Member State level some distinctive features and criteria that a social enterprise should fulfil, regardless of the legal form it adopts, if it is to be considered as such type of enterprise; whereas it seems desirable to establish at Union level those features and criteria in the form of minimum standards with a view to creating a consistent legal framework for such enterprises and to ensure that all social enterprises have a common identity

regardless of the Member State of incorporation; whereas such institutional features should help to maintain social enterprise advantage over alternative ways of organising the production of social services;

regardless of the Member State of incorporation; whereas such institutional features should help to maintain social enterprise advantage over alternative ways of organising the production of *services*, *including* social services;

Or. en

**Amendment 37**  
**Virginie Rozière**

**Motion for a resolution**  
**Recital G**

*Motion for a resolution*

G. whereas notwithstanding the above it is possible to derive from national experiences at Member State level some distinctive features and criteria that a social enterprise should fulfil, regardless of the legal form it adopts, if it is to be considered as such type of enterprise; whereas it seems desirable to establish at Union level those features and criteria in the form of minimum standards with a view to creating a consistent legal framework for such enterprises and to ensure that all social enterprises have a common identity regardless of the Member State of incorporation; whereas such institutional features should help to maintain social enterprise advantage over alternative ways of organising the production of social services;

*Amendment*

G. whereas notwithstanding the above it is possible to derive from national experiences at Member State level some distinctive features and criteria that a social enterprise should fulfil, regardless of the legal form it adopts, if it is to be considered as such *a* type of enterprise; whereas it seems desirable to establish at Union level those features and criteria in the form of minimum standards with a view to creating a consistent legal framework for such enterprises and to ensure that all social enterprises have a common identity regardless of the Member State of incorporation; whereas such institutional features should help to maintain social enterprise advantage over alternative ways of organising the production of *services*, *including* social services;

Or. fr

**Amendment 38**  
**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**  
**Recital G**

*Motion for a resolution*

G. whereas notwithstanding the above it is possible to derive from national experiences at Member State level some distinctive features and criteria that a social enterprise should fulfil, regardless of the legal form it adopts, if it is to be considered as such type of enterprise; whereas it seems desirable to establish at Union level those features and criteria in the form of minimum standards with a view to creating a consistent legal framework for such enterprises and to ensure that all social enterprises have a common identity regardless of the Member State of incorporation; whereas such institutional features should help to ***maintain social enterprise*** advantage over alternative ways of organising the production of social services;

*Amendment*

G. whereas notwithstanding the above it is possible to derive from national experiences at Member State level some distinctive features and criteria that a social ***and solidarity-based*** enterprise should fulfil, regardless of the legal form it adopts, if it is to be considered as such ***a*** type of enterprise; whereas it seems desirable to establish at Union level those features and criteria in the form of minimum standards with a view to creating a consistent legal framework for such enterprises and to ensure that all social enterprises have a common identity regardless of the Member State of incorporation; whereas such institutional features should help to ***give them an*** advantage over alternative ways of organising the production of social services;

Or. fr

**Amendment 39**

**Gilles Lebreton, Marie-Christine Boutonnet**

**Motion for a resolution**

**Recital J – introductory part**

*Motion for a resolution*

J. whereas in its resolution of 10 September 2015, Parliament ***noted that*** social and solidarity-based economy ***enterprises***, which ***do not*** necessarily have to be non-profit organisations, ***are enterprises*** whose purpose is to achieve their social goal, which may be to create jobs for vulnerable groups, provide services for their members, ***or more generally create*** a positive social ***and environmental*** impact, ***and which reinvest*** their profits primarily in order to achieve those objectives; ***points out that*** social ***and***

*Amendment*

J. whereas in its resolution of 10 September 2015, Parliament ***amalgamated the two concepts of*** social ***economy*** and solidarity-based economy ***into one***, which ***from the legal point of view can cause confusion; whereas it should certainly be pointed out that neither social economy enterprises nor solidarity-based economy enterprises*** necessarily have to be non-profit organisations; ***whereas only those enterprises operating as cooperatives, mutual societies, or associations, and*** whose purpose is to achieve their social



*solidarity-based* economy enterprises **are characterised by their commitment to upholding the following values:**

goal, which may be to create jobs for vulnerable groups **or to** provide services for their members, **creating** a positive social impact **by reinvesting** their profits primarily in order to achieve those objectives, **are** social economy enterprises, **which does not imply that they seek to create a positive environmental impact;**

Or. fr

**Amendment 40**  
**Virginie Rozière**

**Motion for a resolution**  
**Recital J – introductory part**

*Motion for a resolution*

J. whereas in its resolution of 10 September 2015, Parliament noted that social and solidarity-based economy enterprises, which do not necessarily have to be non-profit organisations, are enterprises whose purpose is to achieve their social goal, which may be to create jobs for vulnerable groups, provide services **for** their members, or more generally create a positive social and environmental impact, and which reinvest their profits primarily in order to achieve those objectives; **points** out that social and solidarity-based economy enterprises are characterised by their commitment to upholding the following values:

*Amendment*

J. whereas in its resolution of 10 September 2015, Parliament noted that social and solidarity-based economy enterprises, which do not necessarily have to be non-profit organisations, are enterprises whose purpose is to achieve their social goal, which may be to create jobs for vulnerable groups, provide services **to** their members, or more generally create a positive social and environmental impact, and which reinvest their profits primarily in order to achieve those objectives; **whereas it pointed** out that social and solidarity-based economy enterprises are characterised by their commitment to upholding the following values:

Or. fr

**Amendment 41**  
**Gilles Lebreton, Marie-Christine Boutonnet**

**Motion for a resolution**  
**Recital J – indent 1**

*Motion for a resolution*

*Amendment*

– *the primacy of individual and social goals over the interests of capital;* *deleted*

Or. fr

**Amendment 42**

**Gilles Lebreton, Marie-Christine Boutonnet**

**Motion for a resolution**

**Recital J – indent 2**

*Motion for a resolution*

*Amendment*

– *democratic governance by members;* *deleted*

Or. fr

**Amendment 43**

**Gilles Lebreton, Marie-Christine Boutonnet**

**Motion for a resolution**

**Recital J – indent 3**

*Motion for a resolution*

*Amendment*

– *the conjunction of the interests of members and users with the general interest;* *deleted*

Or. fr

**Amendment 44**

**Virginie Rozière**

**Motion for a resolution**

**Recital J – indent 3**

*Motion for a resolution*

*Amendment*

– the conjunction of the interests of members and users with the general interest;

*(Does not affect the English version.)*

Or. fr

**Amendment 45**  
**Gilles Lebreton, Marie-Christine Boutonnet**

**Motion for a resolution**  
**Recital J – indent 4**

*Motion for a resolution*

*Amendment*

– *the safeguarding and application of the principles of solidarity and responsibility;* *deleted*

Or. fr

**Amendment 46**  
**Gilles Lebreton, Marie-Christine Boutonnet**

**Motion for a resolution**  
**Recital J – indent 5**

*Motion for a resolution*

*Amendment*

– *the reinvestment of surplus funds in long-term development objectives, or in the provision of services of interest to members or of services of general interest;* *deleted*

Or. fr

**Amendment 47**  
**Gilles Lebreton, Marie-Christine Boutonnet**

**Motion for a resolution**  
**Recital J – indent 6**

*Motion for a resolution*

*Amendment*

– *voluntary and open membership;* *deleted*

Or. fr

**Amendment 48**

**Gilles Lebreton, Marie-Christine Boutonnet**

**Motion for a resolution**

**Recital J – indent 7**

*Motion for a resolution*

*Amendment*

– *autonomous management* *deleted*  
*independent of the public authorities;*

Or. fr

**Amendment 49**

**Gilles Lebreton, Marie-Christine Boutonnet**

**Motion for a resolution**

**Recital K**

*Motion for a resolution*

*Amendment*

*K. whereas the above definitions are* *deleted*  
*compatible and seem to bring together the*  
*features shared by all social enterprises*  
*regardless of the Member State of*  
*incorporation; whereas such features*  
*should constitute the baseline for a cross-*  
*cutting and more definitive legal*  
*definition of ‘social enterprise’ at Union*  
*level;*

Or. fr

**Amendment 50**

**Daniel Buda**

**Motion for a resolution**  
**Recital K**

*Motion for a resolution*

K. whereas the above definitions are compatible and *seem to* bring together the features shared by all social enterprises regardless of the Member State of incorporation; whereas such features should constitute the baseline for a *cross-cutting and more definitive* legal definition of ‘social enterprise’ *at Union level*;

*Amendment*

K. whereas the above definitions are compatible and bring together *all* the features shared by all social enterprises regardless of the Member State of incorporation *and irrespective of the legal form they have chosen to adopt pursuant to national legislation and Community law*; whereas such features should constitute the baseline for a *harmonised* legal definition of ‘social enterprise’ *that is universally agreed, applied and used throughout the Union*;

Or. ro

**Amendment 51**  
**Marie-Christine Vergiat, Jiří Maštálka, Virginie Rozière**

**Motion for a resolution**  
**Recital K**

*Motion for a resolution*

K. whereas the above definitions are compatible and seem to bring together the features shared by all social enterprises regardless of the Member State of incorporation; whereas such features should constitute the baseline for a *cross-cutting and more definitive legal definition of* ‘social enterprise’ *at Union level*;

*Amendment*

K. whereas the above definitions are compatible and seem to bring together the features shared by all social *and solidarity-based* enterprises regardless of the Member State of incorporation; whereas such features should constitute the baseline for a *European label for the 'social and solidarity-based enterprise'*;

Or. fr

**Amendment 52**  
**Angel Dzhambazki**

**Motion for a resolution**

## Recital K

### *Motion for a resolution*

K. whereas the above definitions are compatible and seem to bring together the features shared by **all** social enterprises regardless of the Member State of incorporation; whereas such features **should** constitute the baseline for a **cross-cutting and more definitive legal definition** of ‘social enterprise’ at Union level;

### *Amendment*

K. whereas the above definitions are compatible and seem to bring together the features shared by **most not-for-profit** social enterprises regardless of the Member State of incorporation; whereas such features **could** constitute the baseline for a **common understanding** of ‘social enterprise’ at Union level;

Or. en

## Amendment 53

Gilles Lebreton, Marie-Christine Boutonnet

### Motion for a resolution

#### Recital L

### *Motion for a resolution*

L. whereas **social** enterprises are private organisations independent from public authorities;

### *Amendment*

L. whereas **these two types of** enterprises are private organisations independent from public authorities;

Or. fr

## Amendment 54

Angel Dzhambazki

### Motion for a resolution

#### Recital M

### *Motion for a resolution*

M. whereas social enterprises operate in the market in an entrepreneurial fashion; **whereas this implies that social enterprises carry on activities of a commercial nature and assume economic risks; whereas the financial viability of a social enterprise ultimately depends on**

### *Amendment*

M. whereas social enterprises operate in the market in an entrepreneurial fashion;

*the efforts made by their members and workers to secure adequate resources;*

Or. en

**Amendment 55**

**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**

**Recital M**

*Motion for a resolution*

M. whereas social enterprises operate in the market in an entrepreneurial fashion; whereas this implies that social enterprises carry on activities of *a commercial nature and assume economic risks; whereas the financial viability of a social enterprise ultimately depends on the efforts made by their members and workers to secure adequate resources;*

*Amendment*

M. whereas social enterprises operate in the market in an entrepreneurial fashion; whereas this implies that social enterprises carry on activities of *an economic nature;*

Or. fr

**Amendment 56**

**Angel Dzhambazki**

**Motion for a resolution**

**Recital N**

*Motion for a resolution*

N. whereas the contribution to social value creation must be the main purpose of a social enterprise; whereas social enterprises should expressly pursue the aim of benefitting the community at large or a specific group of people, transcending membership; whereas the social purpose pursued by social enterprises should be clearly indicated in their documents of establishment; whereas the notion of social enterprise should not be confused with that

*Amendment*

N. whereas the contribution to social value creation must be the main purpose of a social enterprise; whereas social enterprises should expressly pursue the aim of benefitting the community at large or a specific group of people, transcending membership; whereas the social purpose pursued by social enterprises should be clearly indicated in their documents of establishment; whereas the notion of social enterprise should not be confused with that

of corporate social responsibility (CSR), even though commercial enterprises with significant CSR activities can have a strong interconnection with social business;

of corporate social responsibility (CSR), even though commercial enterprises with significant CSR activities can have a strong interconnection with social business;  
***whereas social enterprises are not to have as their aim traditional commercial profit creation but, instead, use any added value created for the further development of projects aimed at improving the environment for their target groups;***

Or. en

### **Amendment 57**

**Gilles Lebreton, Marie-Christine Boutonnet**

#### **Motion for a resolution**

##### **Recital N**

###### *Motion for a resolution*

N. whereas the contribution to social value creation must be the main purpose of a social enterprise; whereas social enterprises should expressly pursue the aim of ***benefitting*** the community at large or a specific group of people, transcending membership; whereas the social purpose pursued by social enterprises should be clearly indicated in their documents of establishment; whereas the notion of social enterprise should not be confused with that of corporate social responsibility (CSR), even though commercial enterprises with significant CSR activities can have a strong interconnection with social business;

###### *Amendment*

N. whereas the contribution to social value creation must be the main purpose of a social enterprise; whereas social enterprises should expressly pursue the aim of ***benefitting*** the community at large or a specific group of people, transcending membership; whereas the social purpose pursued by social enterprises should be clearly indicated in their documents of establishment; whereas the notion of social enterprise should not be confused with that of corporate social responsibility (CSR), even though commercial enterprises with significant CSR activities can have a strong interconnection with social business, ***nor should it be confused with the notion of solidarity-based enterprise;***

Or. fr

### **Amendment 58**

**Marie-Christine Vergiat, Jiří Maštálka**



**Motion for a resolution**  
**Recital N**

*Motion for a resolution*

N. whereas the contribution to social value creation must be the main purpose of a social enterprise; whereas **social** enterprises should expressly pursue the aim of **benefitting** the community at large or a specific group of people, transcending membership; whereas the social purpose pursued by social enterprises should be clearly indicated in their documents of establishment; whereas the notion of social enterprise should not be confused with that of corporate social responsibility (CSR), even though commercial enterprises with significant CSR activities can have a strong interconnection with social business;

*Amendment*

N. whereas the contribution to social value creation must be the main purpose of a social **and solidarity-based** enterprise; whereas **those** enterprises should expressly pursue the aim of **benefitting** the community at large or a specific group of people, transcending membership; whereas the social purpose pursued by social enterprises should be clearly indicated in their documents of establishment; whereas the notion of social **and solidarity-based** enterprise should not be confused with that of corporate social responsibility (CSR), even though commercial enterprises with significant CSR activities can have a strong interconnection with social business;

Or. fr

**Amendment 59**  
**Virginie Rozière**

**Motion for a resolution**  
**Recital O**

*Motion for a resolution*

O. whereas social enterprises should conduct a socially useful activity; whereas they may be active in a wide spectrum of activities; whereas social enterprises have typically engaged in the delivery of social services and work integration services for disadvantaged groups; whereas a common trend in national legislation has been to enlarge the range of activities in which social enterprises are entitled to engage, provided that they are of general interest and/or have a social utility, such as the provision of community services, including the educational, cultural **and**

*Amendment*

O. whereas social enterprises should conduct a socially useful activity; whereas they may be active in a wide spectrum of activities; whereas social enterprises have typically engaged in the delivery of **services intended to improve living conditions for the community; whereas among such services, they provide** social services **to support people in precarious circumstances or affected by socio-economic exclusion**, and work integration services for disadvantaged groups; whereas a common trend in national legislation has been to enlarge the range of activities in

*environmental* fields; whereas these socially useful activities may be determined by law ex ante in a list or through a general clause;

which social enterprises are entitled to engage, provided that they are of general interest and/or have a social utility, such as the provision of community services, including the educational, cultural, *environmental, and health* fields; whereas these socially useful activities may be determined by law ex ante in a list or through a general clause;

Or. fr

### **Amendment 60**

**Jiří Maštálka, Kostas Chrysogonos, Kateřina Konečná**

#### **Motion for a resolution**

##### **Recital O**

###### *Motion for a resolution*

O. whereas social enterprises should conduct a socially useful activity; whereas they may be active in a wide spectrum of activities; whereas social enterprises have typically engaged in the delivery of social services and work integration services for disadvantaged groups; whereas a common trend in national legislation has been to enlarge the range of activities in which social enterprises are entitled to engage, provided that they are of general interest and/or have a social utility, such as the provision of community services, including the educational, cultural and environmental fields; whereas these socially useful activities may be determined by law ex ante in a list or through a general clause;

###### *Amendment*

O. whereas social enterprises should conduct a socially useful activity; whereas they may be active in a wide spectrum of activities; whereas social enterprises have typically engaged in the delivery of social services, *including social services* and work integration services, *which enhance people's living conditions, in particular* for disadvantaged groups; whereas a common trend in national legislation has been to enlarge the range of activities in which social enterprises are entitled to engage, provided that they are of general interest and/or have a social utility, such as the provision of community services, including the educational, cultural, *health,* and environmental fields; whereas these socially useful activities may be determined by law ex ante in a list or through a general clause;

Or. en

### **Amendment 61**

Marie-Christine Vergiat, Jiří Maštálka

**Motion for a resolution**

**Recital O**

*Motion for a resolution*

O. whereas social enterprises should conduct a socially useful activity; whereas they may be active in a wide spectrum of activities; **whereas social enterprises have typically engaged in** the delivery of social services and work integration services for disadvantaged groups; whereas a common trend in national legislation has been to enlarge the range of activities in which social enterprises are entitled to engage, provided that they are of general interest and/or have a social utility, such as the provision of community services, including the educational, cultural and environmental fields; whereas these socially useful activities may be determined **by law ex ante in a list or through a general clause**;

*Amendment*

O. whereas social **and solidarity-based** enterprises should conduct a socially useful activity; whereas they may be active in a wide spectrum of activities, **as well as in fields related to** the delivery of social services and work integration services for disadvantaged groups, **and whereas, therefore, they should not be confined to the latter fields**; whereas a common trend in national legislation has been to enlarge the range of activities in which social **and solidarity-based** enterprises are entitled to engage, provided that they are of general interest and/or have a social utility, such as the provision of community services, including the educational, cultural, **leisure, housing,** and environmental fields; whereas these socially useful activities may be determined ex ante;

Or. fr

**Amendment 62**

**Pascal Durand**

**Motion for a resolution**

**Recital O**

*Motion for a resolution*

O. whereas social enterprises should conduct a socially useful activity; whereas they may be active in a wide spectrum of activities; whereas social enterprises have typically engaged in the delivery of social services and work integration services for disadvantaged groups; whereas a common trend in national legislation has been to enlarge the range of activities in which

*Amendment*

O. whereas social enterprises should conduct a socially useful activity; whereas they may be active in a wide spectrum of activities; whereas social enterprises have typically engaged in the delivery of social services and work integration services for disadvantaged groups; whereas a common trend in national legislation has been to enlarge the range of activities in which

social enterprises are entitled to engage, provided that they are of general interest and/or have a social utility, such as the provision of community services, including the educational, cultural and environmental fields; whereas these socially useful activities may be determined by law ex ante in a list or through a general clause;

social enterprises are entitled to engage, provided that they are of general interest and/or have a social utility, such as the provision of community services, including the educational, *health*, cultural and environmental fields; whereas these socially useful activities may be determined by law ex ante in a list or through a general clause;

Or. fr

**Amendment 63**  
**Evelyn Regner**

**Motion for a resolution**  
**Recital O**

*Motion for a resolution*

O. whereas social enterprises should conduct a socially useful activity; whereas they may be active in a wide spectrum of activities; whereas social enterprises have typically engaged in the delivery of social services and work integration services for disadvantaged groups; whereas a common trend in national legislation has been to enlarge the range of activities in which social enterprises are entitled to engage, provided that they are of general interest and/or have a social utility, such as the provision of community services, including the educational, cultural and environmental fields; whereas these socially useful activities may be determined by law ex ante *in a list or* through a general clause;

*Amendment*

O. whereas social enterprises should conduct a socially useful activity; whereas they may be active in a wide spectrum of activities; whereas social enterprises have typically engaged in the delivery of social services and work integration services for disadvantaged groups; whereas a common trend in national legislation has been to enlarge the range of activities in which social enterprises are entitled to engage, provided that they are of general interest and/or have a social utility, such as the provision of community services, including the educational, cultural and environmental fields; whereas these socially useful activities may be determined by law ex ante through a general clause;

Or. de

**Amendment 64**  
**Daniel Buda**

**Motion for a resolution**

## Recital P

### *Motion for a resolution*

P. whereas social enterprises are generally associated with social innovation, as a result of the expansion of social enterprise activity in new fields of production of goods or of delivery of services, including environmental, cultural and recreational services, and/or the introduction of innovative production or work organisation methods;

### *Amendment*

P. whereas social enterprises ***provide a business model for the 21st century which balances financial, social, cultural and environmental protection needs;*** whereas social enterprises are generally associated with social innovation, as a result of the expansion of social enterprise activity in new fields of production of goods or of delivery of services, including environmental, cultural and recreational services, and/or the introduction of innovative production or work organisation methods;

Or. ro

## Amendment 65

Marie-Christine Vergiat, Jiří Maštálka, Virginie Rozière

### **Motion for a resolution**

#### **Recital P**

### *Motion for a resolution*

P. whereas social enterprises are generally associated with social innovation, as a result of the expansion of social enterprise activity in new fields of production of goods or of delivery of services, including environmental, cultural and recreational services, and/or the introduction of innovative production or work organisation methods;

### *Amendment*

P. whereas social ***and solidarity-based*** enterprises are generally associated with social, ***technological, and economic*** innovation, as a result of the expansion of social enterprise activity in new fields of production of goods or of delivery of services, including environmental, cultural and recreational services, and/or the introduction of innovative production or work organisation methods;

Or. fr

## Amendment 66

Virginie Rozière

**Motion for a resolution**  
**Recital P**

*Motion for a resolution*

P. whereas social enterprises are generally associated with social innovation, as a result of the expansion of social enterprise activity in new fields of production of goods or of delivery of services, including environmental, cultural and recreational services, and/or the introduction of innovative production or work organisation methods;

*Amendment*

P. whereas social enterprises are generally associated with social innovation, as a result of the expansion of social enterprise activity in new fields of production of goods or of delivery of services, including environmental, **health**, cultural, **education**, and recreational services, and/or the introduction of innovative production or work organisation methods;

Or. fr

**Amendment 67**  
**Jiří Maštálka, Kostas Chrysogonos, Kateřina Konečná**

**Motion for a resolution**  
**Recital P**

*Motion for a resolution*

P. whereas social enterprises are generally associated with social innovation, as a result of the expansion of social enterprise activity in new fields of production of goods or of delivery of services, including environmental, cultural and recreational services, and/or the introduction of innovative production or work organisation methods;

*Amendment*

P. whereas social enterprises are generally associated with social innovation, as a result of the expansion of social enterprise activity in new fields of production of goods or of delivery of services, including environmental, cultural, **health** and recreational services, and/or the introduction of innovative production or work organisation methods;

Or. en

**Amendment 68**  
**Evelyn Regner**

**Motion for a resolution**  
**Recital P a (new)**

*Motion for a resolution*

*Amendment*

*Pa. whereas, by virtue of their social and integrative character, social enterprises offer employment to those groups of workers most commonly excluded from the labour market, and whereas they contribute significantly to reintegrating long-term unemployed people and to combating unemployment generally, thereby furthering social cohesion and economic growth;*

Or. de

**Amendment 69**  
**Virginie Rozière**

**Motion for a resolution**  
**Recital P a (new)**

*Motion for a resolution*

*Amendment*

*Pa. whereas the social economy, given the particular nature of its component enterprises and organisations, its specific rules, its social commitments, and its innovative methods, has shown on many occasions that it can be resilient in the face of economic adversity and that it has the potential to rise above crises more rapidly;*

Or. fr

**Amendment 70**  
**Evelyn Regner**

**Motion for a resolution**  
**Recital P b (new)**

*Motion for a resolution*

*Amendment*

*Pb. whereas, in small and medium-sized enterprises in particular, employee financial participation often serves a social purpose, as demonstrated by the 'best practice' example of the successful reintegration of long-term unemployed people in Spain through the 'Sociedad Laboral (SL)' company model, whereby job-seekers can use their unemployment benefit to set up a company, and so create more jobs, with the state providing support and advice on management issues;*

Or. de

**Amendment 71**  
**Virginie Rozière**

**Motion for a resolution**

**Recital Q**

*Motion for a resolution*

Q. whereas social enterprises are not necessarily non-profit organisations **but, on the contrary**, they can **also** be for-profit; whereas this notwithstanding the main focus of social enterprises should be on social values and on having a positive and durable impact on society's **wellbeing** and economic development rather than making a profit for their owners, members or shareholders; whereas in this connection a constraint on distribution of profits and assets among members or shareholders, also known as 'asset lock', is essential to social enterprises; whereas a limited distribution of profits could be allowed, having regard to the legal form adopted by the social enterprise, but the procedures and rules covering that distribution should ensure that it does not undermine the primary objective of the enterprise; whereas the most significant proportion of profits made by a social enterprise should

*Amendment*

Q. whereas social enterprises are not necessarily non-profit organisations; **whereas they can generate a profit, which must not, however, be distributed, even in part, to increase the wealth of their members, since the entire amount must be reinvested or used in order to achieve their social purposes; whereas, indeed**, they can be for-profit; whereas this notwithstanding the main focus of social enterprises should be on social values and on having a positive and durable impact on society's **well-being** and economic development rather than making a profit for their owners, members or shareholders; whereas in this connection a constraint on distribution of profits and assets among members or shareholders, also known as 'asset lock', is essential to social enterprises; whereas a limited distribution of profits could be allowed, having regard to the legal form adopted by the social



be reinvested or otherwise used to achieve its social purpose;

enterprise, but the procedures and rules covering that distribution should ensure that it does not undermine the primary objective of the enterprise; whereas the most significant proportion of profits made by a social enterprise should be reinvested or otherwise used to achieve its social purpose;

Or. fr

**Amendment 72**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Recital Q**

*Motion for a resolution*

Q. whereas social enterprises are not necessarily non-profit organisations but, on the contrary, they can also be for-profit; whereas this notwithstanding the main focus of social enterprises should be on social values and on having a positive and durable impact on society's wellbeing and economic development rather than making a profit for their owners, members or shareholders; whereas in this connection a constraint on distribution of profits and assets among members or shareholders, also known as 'asset lock', is essential to social enterprises; whereas a limited distribution of profits could be allowed, having regard to the legal form adopted by the social enterprise, but the procedures and rules covering that distribution should ensure that it does not undermine the primary objective of the enterprise; whereas the most significant proportion of profits made by a social enterprise should be reinvested or otherwise used to achieve its social purpose;

*Amendment*

Q. whereas social enterprises are not necessarily non-profit organisations but, on the contrary, they can also be for-profit; whereas this notwithstanding the main focus of social enterprises should be on social values and on having a positive and durable impact on society's wellbeing and economic development ***and ought to therefore re-invest their commercial gains into furthering their cause***, rather than making a profit for their owners, members or shareholders; whereas in this connection a constraint on distribution of profits and assets among members or shareholders, also known as 'asset lock', is essential to social enterprises; whereas a limited distribution of profits could be allowed, having regard to the legal form adopted by the social enterprise, but the procedures and rules covering that distribution should ensure that it does not undermine the primary objective of the enterprise; whereas the most significant proportion of profits made by a social enterprise should be reinvested or otherwise used to achieve its social purpose;

**Amendment 73****Marie-Christine Vergiat, Jiří Maštálka****Motion for a resolution****Recital Q***Motion for a resolution*

Q. whereas social enterprises are not necessarily non-profit organisations but, on the contrary, they can also be for-profit; whereas this notwithstanding the main focus of social enterprises should be on social values and on having a positive and durable impact on society's **wellbeing** and economic development rather than making a profit for their owners, members or shareholders; whereas in this connection a constraint on distribution of profits and assets among members or shareholders, also known as 'asset lock', is essential to social enterprises; whereas a limited distribution of profits could be allowed, having regard to the legal form adopted by the social enterprise, but the procedures and rules covering that distribution should ensure that it does not undermine the primary objective of the enterprise; whereas the most significant proportion of profits made by a social enterprise should be reinvested or otherwise used to achieve its social purpose;

*Amendment*

Q. whereas social **and solidarity-based** enterprises are not necessarily non-profit organisations but, on the contrary, they can also be for-profit; whereas this notwithstanding the main focus of social enterprises should be on social values and on having a positive and durable impact on society's **well-being** and economic development rather than making a profit for their owners, members or shareholders; whereas in this connection a constraint on distribution of profits and assets among members or shareholders, also known as 'asset lock', is essential to social enterprises; whereas a limited distribution of profits could be allowed, having regard to the legal form adopted by the social enterprise, but the procedures and rules covering that distribution should ensure that it does not undermine the primary objective of the enterprise; whereas the most significant proportion of profits made by a social enterprise should be reinvested or otherwise used to achieve its social purpose;

Or. fr

**Amendment 74****Emil Radev****Motion for a resolution****Recital P**

### *Motion for a resolution*

Q. whereas social enterprises are not necessarily non-profit organisations but, on the contrary, they can also be for-profit; whereas this notwithstanding the main focus of social enterprises should be on social values and on having a positive and durable impact on society's wellbeing and economic development rather than making a profit for their owners, members or shareholders; whereas in this connection a constraint on distribution of profits and assets among members or shareholders, also known as 'asset lock', is essential to social enterprises; whereas a limited distribution of profits could be allowed, having regard to the legal form adopted by the social enterprise, but the procedures and rules covering that distribution should ensure that it does not undermine the primary objective of the enterprise; whereas the most significant proportion of profits made by a social enterprise should be reinvested or otherwise used to achieve its social purpose;

### *Amendment*

Q. whereas social enterprises are not necessarily non-profit organisations but, on the contrary, they can also be for-profit; whereas, this notwithstanding, the main focus of social enterprises should be, ***above all***, on social values and on having a positive and durable impact on society's wellbeing and economic development rather than making a profit for their owners, members or shareholders; whereas in this connection a constraint on distribution of profits and assets among members or shareholders, also known as 'asset lock', is essential to social enterprises; whereas a limited distribution of profits could be allowed, having regard to the legal form adopted by the social enterprise, but the procedures and rules covering that distribution should ensure that it does not undermine the primary objective of the enterprise; whereas the most significant proportion of profits made by a social enterprise should be reinvested or otherwise used to achieve its social purpose;

Or. bg

### **Amendment 75** **Pascal Durand**

#### **Motion for a resolution** **Recital Q**

### *Motion for a resolution*

Q. whereas social enterprises are not necessarily non-profit organisations but, ***on the contrary***, they can also be for-profit; ***whereas this notwithstanding the main focus of social enterprises should be on social values and on having a positive and durable impact on society's wellbeing and economic development rather than***

### *Amendment*

Q. whereas social enterprises are not necessarily non-profit organisations but they can also be for-profit, ***provided that their activities fully satisfy the criteria for obtaining the European social label, rather than making a profit for their owners, members or shareholders, and that an enterprise complies with the rules***

*making a profit for their owners, members or shareholders; whereas in this connection a constraint on distribution of profits and assets among members or shareholders, also known as 'asset lock', is essential to social enterprises; whereas a limited distribution of profits could be allowed, having regard to the legal form adopted by the social enterprise, but the procedures and rules covering that distribution should ensure that it does not undermine the primary objective of the enterprise; whereas the most significant proportion of profits made by a social enterprise should be reinvested or otherwise used to achieve its social purpose;*

*strictly limiting the return on capital and wage differentials within the enterprise, that it allows employees to have a say in decision-taking in accordance with the 'one person, one vote' principle, and that any profits are reinvested with a view to maintaining or developing the enterprise's business; whereas in this connection a constraint on distribution of profits and assets among members or shareholders, also known as 'asset lock', is essential to social enterprises; whereas the most significant proportion of profits made by a social enterprise should be reinvested or otherwise used to achieve its social purpose;*

Or. fr

**Amendment 76**  
**Virginie Rozière**

**Motion for a resolution**  
**Recital S**

*Motion for a resolution*

S. whereas social enterprises should be ruled following democratic governance models involving the persons affected by the activity; whereas this participatory model represents a structural procedure to control the actual pursuit of the organisation's social goals; whereas members' power in decision-making should not be based only or primarily on any capital stake they may hold, even when the model adopted by the social enterprise is that of a commercial company;

*Amendment*

S. whereas social enterprises should be ruled following democratic governance models involving the persons affected by the activity ***in decision-making***; whereas this participatory model represents a structural procedure to control the actual pursuit of the organisation's social goals; whereas members' power in decision-making should not be based only or primarily on any capital stake they may hold, ***but should also be determined by the principle of 'one person, one vote'***, even when the model adopted by the social enterprise is that of a commercial company;

Or. fr

**Amendment 77**  
**Pascal Durand**

**Motion for a resolution**  
**Recital S**

*Motion for a resolution*

S. whereas social enterprises should be ruled following democratic governance models involving the persons affected by the activity; whereas this participatory model represents a structural procedure to control the actual pursuit of the organisation's social goals; whereas members' power in decision-making should not be based only or primarily on any capital stake they may hold, even when the model adopted by the social enterprise is that of a commercial company;

*Amendment*

S. whereas social enterprises should be ruled following democratic governance models involving the persons affected by the activity ***in decisions to be taken, not least by applying the 'one person, one vote' principle***; whereas this participatory model represents a structural procedure to control the actual pursuit of the organisation's social goals; whereas members' power in decision-making should not be based only or primarily on any capital stake they may hold, even when the model adopted by the social enterprise is that of a commercial company;

Or. fr

**Amendment 78**  
**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**  
**Recital S**

*Motion for a resolution*

S. whereas social enterprises should be ruled following democratic governance models involving ***the persons*** affected by ***the activity***; whereas this participatory model represents a structural procedure to control the actual pursuit of the organisation's social goals; whereas members' power in decision-making should not be based ***only or primarily*** on any capital stake they may hold, even when

*Amendment*

S. whereas social ***and solidarity-based*** enterprises should be ruled following democratic governance models involving ***their employees, their customers, and their stakeholders*** affected by ***their business***; whereas this participatory model represents a structural procedure to control the actual pursuit of the organisation's social goals; whereas members' power in decision-making should not be based on any capital stake they may hold, even when

the model adopted by the social enterprise is that of a commercial company;

the model adopted by the social **and solidarity-based** enterprise is that of a commercial company;

Or. fr

### **Amendment 79**

**Jiří Maštálka, Kostas Chrysogonos, Kateřina Konečná**

#### **Motion for a resolution**

##### **Recital S**

###### *Motion for a resolution*

S. whereas social enterprises should be ruled following democratic governance models involving the persons affected by the activity; whereas this participatory model represents a structural procedure to control the actual pursuit of the organisation's social goals; whereas members' power in decision-making should not be based only or primarily on any capital stake they may hold, even when the model adopted by the social enterprise is that of a commercial company;

###### *Amendment*

S. whereas social enterprises should be ruled following democratic governance models involving the persons affected by the activity, **using the principle "one person one vote"**; whereas this participatory model represents a structural procedure to control the actual pursuit of the organisation's social goals; whereas members' power in decision-making should not be based only or primarily on any capital stake they may hold, even when the model adopted by the social enterprise is that of a commercial company;

Or. en

### **Amendment 80**

**Emil Radev**

#### **Motion for a resolution**

##### **Recital T**

###### *Motion for a resolution*

S. whereas social enterprises should be ruled following democratic governance models involving the persons affected by the activity; whereas this participatory model represents a structural procedure to control the actual pursuit of the

###### *Amendment*

*(Does not affect the English version.)*

organisation's social goals; whereas members' power in decision-making should not be based only or primarily on any capital stake they may hold, even when the model adopted by the social enterprise is that of a commercial company;

Or. bg

**Amendment 81**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Recital T**

*Motion for a resolution*

T. whereas social enterprises can adopt the form of commercial undertakings in some Member States; whereas the possibility of commercial companies having the status of social enterprises should be made dependent on fulfilling requirements and conditions that help resolve the potential contradictions between the company form and the social enterprise model;

*Amendment*

T. whereas social enterprises can adopt the **legal** form of commercial undertakings in some Member States; whereas the possibility of commercial companies having the status of social enterprises should be made dependent on fulfilling requirements and conditions that help resolve the potential contradictions between the company form and the social enterprise model, **depending on the national legislation**;

Or. en

**Amendment 82**  
**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**  
**Recital T**

*Motion for a resolution*

T. whereas social enterprises can adopt the form of **commercial** undertakings in some Member States; whereas the possibility of **commercial** companies **having the status of** social enterprises

*Amendment*

T. whereas social **and solidarity-based** enterprises can adopt the form of **conventional** undertakings in some Member States; whereas the possibility of **such** companies **being recognised as** social

should be made dependent on fulfilling requirements and conditions that help resolve the potential contradictions between the *company* form and the *social* enterprise model;

*and solidarity-based* enterprises should be made dependent on fulfilling requirements and conditions that help resolve the potential contradictions between the form and the enterprise model;

Or. fr

**Amendment 83**  
**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**  
**Recital U**

*Motion for a resolution*

U. whereas the treatment of employees in social enterprises should be comparable to that of employees of *ordinary* business enterprises; *whereas social enterprises should take into consideration the special needs of its disadvantaged workers, where appropriate;*

*Amendment*

U. whereas the treatment of employees in social enterprises should be comparable to that of employees of *traditional* business enterprises;

Or. fr

**Amendment 84**  
**Evelyn Regner**

**Motion for a resolution**  
**Recital V**

*Motion for a resolution*

V. whereas the positive impact of social enterprises on the community *may* justify the adoption of concrete actions in their support, such as the payment of subsidies and the adoption of favourable tax and public procurement measures; whereas those measures should in principle be considered as being compatible with the Treaties, since they aim at facilitating the development of economic activities or

*Amendment*

V. whereas the positive impact of social enterprises on the community *should* justify the adoption of concrete actions in their support, such as the payment of subsidies and the adoption of favourable tax and public procurement measures, *and whereas such measures will generate powerful incentives for undertakings to qualify as social enterprises;* whereas those measures should in principle be



areas mainly intended to have a positive impact on society;

considered as being compatible with the Treaties, since they aim at facilitating the development of economic activities or areas mainly intended to have a positive impact on society, *e.g. job creation for disadvantaged groups of people, the provision of services useful to members of such groups or more generally, and activities affecting society and the environment in a positive way;*

Or. de

### **Amendment 85**

**Jiří Maštálka, Kateřina Konečná**

#### **Motion for a resolution**

##### **Recital V**

###### *Motion for a resolution*

V. whereas the positive impact of social enterprises on the community may justify the adoption of concrete actions in their support, such as the payment of subsidies and the adoption of favourable tax and public procurement measures; whereas those measures should in principle be considered as being compatible with the Treaties, since they aim at facilitating the development of economic activities or areas mainly intended to have a positive impact on society;

###### *Amendment*

V. whereas the positive impact of social enterprises on the community may justify the adoption of concrete actions in their support, such as the payment of subsidies and the adoption of favourable tax and public procurement measures; whereas those measures should in principle be considered as being compatible with the Treaties, since they aim at facilitating the development of economic activities or areas mainly intended to have a positive impact on society *and their benefits are distinctly lower than those of capitalistic enterprises, which are able to comply with financial markets requirements and can more easily raise funds;*

Or. en

### **Amendment 86**

**Marie-Christine Vergiat, Jiří Maštálka**

#### **Motion for a resolution**

## Recital V

### *Motion for a resolution*

V. whereas the positive impact of social enterprises on the community may justify the adoption of concrete actions in their support, such as the payment of subsidies and the adoption of favourable tax and public procurement measures; whereas those measures ***should in principle be considered as being compatible with the Treaties, since they aim at facilitating the development of economic activities or areas mainly intended to have a positive impact on society;***

### *Amendment*

V. whereas the positive impact of social ***and solidarity-based*** enterprises on the community may justify the adoption of concrete actions in their support, such as the payment of subsidies and the adoption of favourable tax and public procurement measures; whereas those measures ***are compatible with the Treaties, which emphasise the freedom to conduct business, regardless of an enterprise's status, and whereas, moreover, the above enterprises*** aim at facilitating the development of economic activities or areas mainly intended to have a positive impact on society;

Or. fr

## Amendment 87

Jean-Marie Cavada, António Marinho e Pinto

### Motion for a resolution

#### Recital V

### *Motion for a resolution*

V. whereas the positive impact of social ***enterprises*** on the community may justify the adoption of concrete actions in their support, such as the payment of subsidies and the adoption of favourable tax and public procurement measures; whereas those measures should in principle be considered as being compatible with ***the Treaties***, since they aim at facilitating the development of economic activities or areas mainly intended to have a positive impact on society;

### *Amendment*

V. whereas the positive impact of ***enterprises in the social economy*** on the community may justify the adoption of concrete actions in their support, such as the payment of subsidies and the adoption of favourable tax and public procurement measures; whereas those measures should in principle be considered as being compatible with ***Union competition law***, since they aim at facilitating the development of economic activities or areas mainly intended to have a positive impact on society;

Or. fr

**Amendment 88**  
**Virginie Rozière**

**Motion for a resolution**  
**Recital V**

*Motion for a resolution*

V. whereas the positive impact of social **enterprises** on the community may justify the adoption of concrete actions in their support, such as the payment of subsidies and the adoption of favourable tax and public procurement measures; whereas those measures should in principle be considered as being compatible with the Treaties, since **they aim at facilitating the development of economic activities or areas mainly intended to have a positive impact on society**;

*Amendment*

V. whereas the positive impact of **enterprises in the social economy** on the community may justify the adoption of concrete actions in their support, such as the payment of subsidies and the adoption of favourable tax and public procurement measures; whereas those measures should in principle be considered as being compatible with the Treaties, since **the profit margin of these enterprises – where they have one – is clearly below that of companies with share capital, which are better able to adapt to the dictates of the market**;

Or. fr

**Amendment 89**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Recital V**

*Motion for a resolution*

V. whereas the positive impact of social enterprises on the community may justify the adoption of concrete actions in their support, such as the payment of subsidies and the adoption of favourable tax and public procurement measures; whereas those measures should in principle be considered as being compatible with the Treaties, since they aim at facilitating the development of economic activities or

*Amendment*

V. whereas the positive impact of social enterprises on the community may **possibly** justify the adoption of concrete actions in their support, such as the payment of subsidies and the adoption of favourable tax and public procurement measures; whereas those measures should in principle be considered as being compatible with the Treaties, since they aim at facilitating the development of economic activities or areas mainly

areas mainly intended to have a positive impact on society;

intended to have a positive impact on society;

Or. en

#### **Amendment 90**

**Gilles Lebreton, Marie-Christine Boutonnet**

#### **Motion for a resolution**

##### **Recital W**

###### *Motion for a resolution*

W. whereas it is essential that public authorities check and ensure that a given undertaking fulfils the requirements *to be issued a* certificate before it *is* granted *one*; whereas a social enterprise should have its certificate revoked in the event that it fails to respect those requirements and its legal obligations;

###### *Amendment*

W. whereas it is essential that public authorities check and ensure that a given *social-economy* undertaking fulfils the requirements *of any given* certificate before it *can be* granted *it*; whereas a social enterprise should have its certificate revoked in the event that it fails to respect those requirements and its legal obligations;

Or. fr

#### **Amendment 91**

**Marie-Christine Vergiat, Jiří Maštálka**

#### **Motion for a resolution**

##### **Recital W**

###### *Motion for a resolution*

W. whereas it is essential that public authorities check and ensure that a given undertaking fulfils the requirements to be issued a certificate before it is granted one; whereas a social enterprise should have its *certificate* revoked in the event that it fails to respect those requirements and its legal obligations;

###### *Amendment*

W. whereas it is essential that public authorities check and ensure that a given undertaking *based on the social economy and solidarity* fulfils the requirements to be issued a certificate before it is granted one; whereas a social enterprise should have its *label* revoked in the event that it fails to respect those requirements and its legal obligations;

Or. fr

**Amendment 92**  
**Emil Radev**

**Motion for a resolution**  
**Recital 4**

*Motion for a resolution*

X. whereas social enterprises should issue a social report on a regular basis in which they give account, at least, of their activities, results, involvement of stakeholders, allocation of profits, salaries, subsidies and other benefits received;

*Amendment*

X. whereas social enterprises should issue a social report on a regular basis in which they give account, at least, of their activities, results, involvement of stakeholders, allocation of profits, salaries, subsidies and other benefits received, *in accordance with the relevant national rules*;

Or. bg

**Amendment 93**  
**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**  
**Recital X**

*Motion for a resolution*

X. whereas social *enterprises* should issue a social report on a regular basis in which they give account, at least, of their activities, results, involvement of stakeholders, allocation of profits, salaries, subsidies and other benefits received;

*Amendment*

X. whereas *enterprises based on the social economy and solidarity* should issue a social report on a regular basis in which they give account, at least, of their activities, results, involvement of stakeholders, allocation of profits, salaries, subsidies and other benefits received;

Or. fr

**Amendment 94**  
**Jean-Marie Cavada, António Marinho e Pinto**

**Motion for a resolution**  
**Recital X**

*Motion for a resolution*

X. whereas **social** enterprises should issue a social report on a regular basis in which they give account, at least, of their activities, results, involvement of stakeholders, allocation of profits, salaries, subsidies and other benefits received;

*Amendment*

X. whereas **social-economy** enterprises should issue a social report on a regular basis in which they give account, at least, of their activities, results, involvement of stakeholders, allocation of profits, salaries, subsidies and other benefits received;

Or. fr

**Amendment 95**  
**Virginie Rozière**

**Motion for a resolution**  
**Recital X**

*Motion for a resolution*

X. whereas **social** enterprises should issue a social report on **a regular** basis in which they give account, at least, of their activities, results, involvement of stakeholders, allocation of profits, salaries, subsidies and other benefits received;

*Amendment*

X. whereas **social-economy** enterprises should issue a social report on **an annual** basis in which they give account, at least, of their activities, results, involvement of stakeholders, allocation of profits, salaries, subsidies and other benefits received;

Or. fr

**Amendment 96**  
**Gilles Lebreton, Marie-Christine Boutonnet**

**Motion for a resolution**  
**Paragraph 1**

*Motion for a resolution*

**1. Calls on the Commission to introduce at Union level a ‘European social label’ to be awarded to social enterprises;**

*Amendment*

**deleted**

Or. fr

**Amendment 97**  
**Daniel Buda**

**Motion for a resolution**  
**Paragraph 1**

*Motion for a resolution*

1. Calls on the Commission to introduce **at** Union level a ‘European social label’ to be awarded to social enterprises;

*Amendment*

1. Calls on the Commission to introduce **and define at a** Union level **the concept of** a ‘European social label’ to be awarded to social enterprises;

Or. ro

**Amendment 98**  
**Gilles Lebreton, Marie-Christine Boutonnet**

**Motion for a resolution**  
**Paragraph 1**

*Motion for a resolution*

1. Calls on the Commission to **introduce** at Union level a ‘European social label’ to be awarded to social enterprises;

*Amendment*

1. Calls on the Commission to **look into the possibility of introducing** at Union level a ‘European social label’ to be awarded to social enterprises;

Or. fr

**Amendment 99**  
**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**  
**Paragraph 1**

*Motion for a resolution*

1. Calls on the Commission to introduce at Union level a ‘European social label’ to be awarded to social **enterprises**;

*Amendment*

1. Calls on the Commission to introduce at Union level a ‘European social label’ to be awarded to **enterprises based on the social economy and solidarity**;

**Amendment 100**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Paragraph 1**

*Motion for a resolution*

1. Calls on the Commission to **introduce** at Union level a ‘European social label’ to be awarded to social enterprises;

*Amendment*

1. Calls on the Commission to **assess the utility of introducing** at Union level a ‘European social label’ to be awarded to social enterprises;

Or. en

**Amendment 101**  
**Daniel Buda**

**Motion for a resolution**  
**Paragraph 2**

*Motion for a resolution*

2. Considers that the ‘European social label’ should be available for organisations **that satisfy a set of** legal requirements, regardless of the legal form of their incorporation in a Member State; **and** that the label should be optional for the undertaking;

*Amendment*

2. Considers that the ‘European social label’ should be available for **private** organisations **and entities that satisfy the** legal requirements **for a social enterprise**, regardless of the legal form of their incorporation in a Member State; **stresses** that the label should be optional for the undertaking;

Or. ro

**Amendment 102**  
**Pascal Durand**

**Motion for a resolution**  
**Paragraph 2**



*Motion for a resolution*

2. Considers that the ‘European social label’ should be available for organisations that *satisfy* a set of legal requirements, regardless of the legal form of their incorporation in a Member State; and that the label should be optional for the undertaking;

*Amendment*

2. Considers that the ‘European social label’ should be available for organisations that *rigorously comply with* a set of legal requirements *in all of their activities*, regardless of the legal form of their incorporation in a Member State; and that the label should be optional for the undertaking;

Or. fr

**Amendment 103**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Paragraph 2**

*Motion for a resolution*

2. Considers that *the* ‘European social label’ *should be* available for organisations that satisfy a set of *legal* requirements, *regardless of* the legal *form of their* incorporation *in a Member State*; and that the label should be optional for the undertaking;

*Amendment*

2. Considers that *a possible* ‘European social label’ *could be made* available for organisations that *clearly* satisfy a set of requirements, *if compatible with and complementary to* the legal *framework of the Member State of* incorporation; and that the label should be optional for the undertaking

Or. en

**Amendment 104**  
**Gilles Lebreton, Marie-Christine Boutonnet**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

3. *Considers that the legal requirements for acquiring and maintaining the European Social label should be identified by reference to*

*Amendment*

*deleted*

*certain features and criteria, in particular those laid down in the annex to this resolution;*

Or. fr

**Amendment 105**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

3. Considers that the legal requirements for acquiring and maintaining the European Social label should be identified by reference to certain features and criteria, in particular those laid down in the annex to this resolution;

*Amendment*

3. Considers that the legal requirements for acquiring and maintaining the European Social label should be identified by reference to certain features and *common* criteria, in particular those laid down in the annex to this resolution;

Or. en

**Amendment 106**  
**Emil Radev**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

3. Considers that the legal requirements for acquiring and maintaining the European Social label should be identified by reference to certain features and criteria, in particular those laid down in the annex to this resolution;

*Amendment*

*(Does not affect the English version.)*

Or. bg

**Amendment 107**  
**Gilles Lebreton, Marie-Christine Boutonnet**

**Motion for a resolution**  
**Paragraph 4**

*Motion for a resolution*

*Amendment*

**4.** *Is of the opinion that a mechanism involving Member States should be established by which entities that fulfil the relevant legal requirements can obtain the European social label. Any legal entity fulfilling the legal criteria should be entitled to the EU label, regardless of whether the Member State of incorporation has a special legal form for ‘social enterprises’;*

*deleted*

Or. fr

**Amendment 108**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Paragraph 4**

*Motion for a resolution*

*Amendment*

**4.** Is of the opinion that *a mechanism involving* Member States *should be established by which* entities *that fulfil* the relevant *legal* requirements *can* obtain the European social label. Any legal entity fulfilling the legal criteria should be entitled to the EU label, regardless of whether the Member State of incorporation has a special legal form for ‘social enterprises’;

**4.** Is of the opinion that, *if there is a consensus on providing for the possibility of obtaining a “European Social label”, it should be for the* Member States *to assess how* entities *incorporated within their legal territories and fulfilling* the relevant requirements *could* obtain the European social label *on the basis of their national laws*. Any legal entity fulfilling the legal criteria should be entitled to the EU label, regardless of whether the Member State of incorporation has a special legal form for ‘social enterprises’;

Or. en

**Amendment 109**

**Daniel Buda**

**Motion for a resolution**

**Paragraph 4**

*Motion for a resolution*

4. Is of the opinion that a mechanism involving Member States should be established by which entities that fulfil the relevant legal requirements can obtain the European social label. Any legal entity fulfilling the legal criteria should be entitled to the EU label, regardless of whether the Member State of incorporation has a special legal form for ‘social enterprises’;

*Amendment*

4. Is of the opinion that a mechanism involving Member States should be established by which entities that fulfil the relevant legal requirements can obtain the European social label. Any legal entity ***governed by private-law and*** fulfilling the legal criteria should be entitled to the EU label, regardless of whether the Member State of incorporation has a special legal form for ‘social enterprises’;

Or. ro

**Amendment 110**

**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**

**Paragraph 4**

*Motion for a resolution*

4. Is of the opinion that a mechanism involving Member States should be established by which entities that fulfil the relevant legal requirements can obtain the European social label. Any legal entity fulfilling the legal criteria should be entitled to the EU label, regardless of whether the Member State of incorporation has a special legal form ***for ‘social enterprises’***;

*Amendment*

4. Is of the opinion that a mechanism involving Member States should be established by which entities that fulfil the relevant legal requirements can obtain the European social label. Any legal entity fulfilling the legal criteria should be entitled to the EU label, regardless of whether the Member State of incorporation has a special legal form;

Or. fr

**Amendment 111**

**Pascal Durand**

**Motion for a resolution**  
**Paragraph 5**

*Motion for a resolution*

5. Considers that a mechanism should be established in cooperation with Member States for the protection of the European social label and the prevention of the establishment and operation of ‘false’ social enterprises; this mechanism should ensure that enterprises bearing the European social label are monitored regularly regarding their compliance with the provisions set out in the label;

*Amendment*

5. Considers that a mechanism should be established in cooperation with Member States for the protection of the European social label and the prevention of the establishment and operation of ‘false’ social enterprises; this mechanism should ensure that enterprises bearing the European social label are monitored regularly regarding their compliance with the provisions set out in the label ***and apply effective and proportionate penalties for improperly obtaining or using the label;***

Or. fr

**Amendment 112**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Paragraph 5**

*Motion for a resolution*

5. Considers that ***a mechanism*** should be established in cooperation with Member States for the protection of the European social label and the prevention of the establishment and operation of ‘false’ social enterprises; ***this mechanism*** should ensure that enterprises bearing the European social label are monitored regularly regarding their compliance with the provisions set out in the label;

*Amendment*

5. Considers that ***mechanisms*** should be established in ***close*** cooperation with Member States for the protection of the ***possible*** European social label and the prevention of the establishment and operation of ‘false’ social enterprises; ***these mechanisms*** should ensure that enterprises bearing the European social label are monitored regularly regarding their compliance with the provisions set out in the label;

Or. en

**Amendment 113**

Gilles Lebreton, Marie-Christine Boutonnet

**Motion for a resolution**

**Paragraph 6**

*Motion for a resolution*

*Amendment*

**6.** *Considers that social enterprises bearing the European social label should be recognised as such in all Member States in which they carry out their social activities and should enjoy the same benefits, rights and obligations that the social enterprises incorporated under the law of the Member State in which they operate;*

*deleted*

Or. fr

**Amendment 114**

**Angel Dzhambazki**

**Motion for a resolution**

**Paragraph 6**

*Motion for a resolution*

*Amendment*

**6.** Considers that social enterprises bearing the European social label should be recognised as such in all Member States in which they carry out their social activities and should *enjoy the same benefits, rights and obligations that the* social enterprises *incorporated under the law of the* Member *State in which they operate;*

**6.** Considers that social enterprises bearing the European social label should be recognised as such in all Member States in which they carry out their social activities and should *not suffer a disproportionate disadvantage compared to national* social enterprises *of other* Member States;

Or. en

**Amendment 115**

**Virginie Rozière**

**Motion for a resolution**

**Paragraph 6**

*Motion for a resolution*

6. Considers that **social** enterprises bearing the European social label should be recognised as such in all Member States in which they carry out their **social** activities and should enjoy the same benefits, rights and obligations that the social enterprises incorporated under the law of the Member State in which they operate;

*Amendment*

6. Considers that **social-economy** enterprises bearing the European social label should be recognised as such in all Member States in which they carry out their activities and should enjoy the same benefits, rights and obligations that the social enterprises incorporated under the law of the Member State in which they operate;

Or. fr

**Amendment 116**

**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**

**Paragraph 6**

*Motion for a resolution*

6. Considers that **social** enterprises bearing the European social label should be recognised as such in all Member States **in which they carry out their social activities** and should enjoy the same benefits, rights and obligations **that the social** enterprises incorporated under the law of the Member State in which they operate;

*Amendment*

6. Considers that enterprises bearing the European social label should be recognised as such in all Member States, **according to the types of activity in which they engage**, and should enjoy the same benefits, rights and obligations **as** enterprises incorporated under the law of the Member State in which they operate;

Or. fr

**Amendment 117**

**Daniel Buda**

**Motion for a resolution**

**Paragraph 7**

*Motion for a resolution*

7. Calls on the Commission to carry out, in cooperation with Member States and the social enterprise sector, a

*Amendment*

7. Calls on the Commission to **ensure that its policies reflect the commitment to create an eco-system for social**

comparative study of the various national and regional legal frameworks governing social enterprises throughout the EU, and of the *operating* conditions for social enterprises and of their characteristics, including their size and number and their field of activities, as well as of national certification and labelling systems;

*enterprises; calls on the Commission in this regard to* carry out, in cooperation with Member States and the social enterprise sector, a comparative study of the various national and regional legal frameworks governing social enterprises throughout the EU, and of the conditions for *incorporating and operating* social enterprises and of their characteristics, including their size and number and their field of activities, as well as of national certification and labelling systems;

Or. ro

### **Amendment 118**

**Marie-Christine Vergiat, Jiří Maštálka, Virginie Rozière**

#### **Motion for a resolution**

##### **Paragraph 7**

###### *Motion for a resolution*

7. Calls on the Commission to carry out, in cooperation with Member States and the social enterprise sector, a comparative study of the various national and regional legal frameworks governing social enterprises throughout the EU, and of the operating conditions for social enterprises and of their characteristics, including their size and number and their field of activities, as well as of national certification and labelling systems;

###### *Amendment*

7. Calls on the Commission to carry out, in cooperation with Member States and the social enterprise sector, a comparative study of the various national and regional legal frameworks governing social enterprises throughout the EU, and of the operating conditions for social enterprises and of their characteristics, including their size and number and their field of activities, as well as of *the various* national certification, *status* and labelling systems;

Or. fr

### **Amendment 119**

**Angel Dzhambazki**

#### **Motion for a resolution**

##### **Paragraph 8**



*Motion for a resolution*

*Amendment*

8. ***Calls on the Commission to establish, in cooperation with Member States, a list of existing legal forms in Member States having the characteristics of social undertakings and to maintain that list updated;***

*deleted*

Or. en

**Amendment 120**

**Emil Radev**

**Motion for a resolution**

**Paragraph 8**

*Motion for a resolution*

*Amendment*

8. Calls on the Commission to establish, in cooperation with Member States, a list of existing legal forms in Member States having the characteristics of social undertakings and to maintain that list updated;

8. Calls on the Commission to establish, in cooperation with Member States, a list, ***which would be subject to review***, of existing legal forms in Member States having the characteristics of social undertakings and to maintain that list updated;

Or. bg

**Amendment 121**

**Marie-Christine Vergiat, Jiří Maštálka, Virginie Rozière**

**Motion for a resolution**

**Paragraph 9**

*Motion for a resolution*

*Amendment*

9. Calls on the Commission to collect, in cooperation with Member States and the social enterprise sector, information on good practices in the Member States, in particular in those fields laid down in the annex to this resolution, and to implement guidelines to encourage and support

9. Calls on the Commission to collect, in cooperation with Member States and ***representatives of*** the social enterprise sector, information on good practices in the Member States, in particular in those fields laid down in the annex to this resolution, and to implement guidelines to encourage

Member States in establishing or improving national frameworks for the development of social *enterprises*;

and support Member States in establishing or improving national frameworks for the development of *enterprises based on the social economy and solidarity*;

Or. fr

**Amendment 122**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

10. Calls on the Commission to review existing legislation *and to submit, where appropriate, legislative proposals establishing a more coherent and complete legal framework in support of social enterprises, specifically, but not only, in the fields of public procurement and competition law, so that such undertakings are treated in a manner that is consistent with their particular nature and contribution to social cohesion and to economic growth*;

*Amendment*

10. Calls on the Commission to review existing legislation;

Or. en

**Amendment 123**  
**Marie-Christine Vergiat, Jiří Maštálka, Virginie Rozière**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

10. Calls on the Commission to review existing legislation and to submit, where appropriate, legislative proposals establishing a more coherent and complete legal framework in support of social *enterprises*, specifically, but not only, in

*Amendment*

10. Calls on the Commission to review existing legislation and to submit, where appropriate, legislative proposals establishing a more coherent and complete legal framework in support of *enterprises based on the social economy and*

the fields of public procurement and competition law, so that such undertakings are treated in a manner that is consistent with their particular nature and contribution to social cohesion and to economic growth;

*solidarity*, specifically, but not only, in the fields of public procurement and competition law, so that such undertakings are treated in a manner that is consistent with their particular nature and contribution to social cohesion and to economic growth; ***considers that these legislative proposals could, in particular, make it easier for enterprises based on the social economy and solidarity to cooperate with other such enterprises on a cross-border basis and to transact cross-border business;***

Or. fr

**Amendment 124**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

10. Calls on the Commission to review existing legislation and to submit, where appropriate, legislative proposals establishing a more coherent and complete legal framework in support of *social* enterprises, specifically, but not only, in the fields of public procurement **and** competition law, so that such undertakings are treated in a manner that is consistent with their particular nature and contribution to social cohesion and to economic growth;

*Amendment*

10. Calls on the Commission to review existing legislation and to submit, where appropriate, legislative proposals establishing a more coherent and complete legal framework in support of *social-economy* enterprises, specifically, but not only, in the fields of public procurement, competition law **and taxation**, so that such undertakings are treated in a manner that is consistent with their particular nature and contribution to social cohesion and to economic growth;

Or. fr

**Amendment 125**  
**Jean-Marie Cavada, António Marinho e Pinto**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

10. Calls on the Commission to **review** existing legislation and to submit, where appropriate, legislative proposals establishing a more coherent and complete legal framework in support of **social** enterprises, specifically, but not only, in the fields of public procurement and competition law, so that such undertakings are treated in a manner that is consistent with their particular nature and contribution to social cohesion and to economic growth;

*Amendment*

10. Calls on the Commission to **examine** existing legislation and to submit, where appropriate, legislative proposals establishing a more coherent and complete legal framework in support of **social-economy** enterprises, specifically, but not only, in the fields of public procurement and competition law, so that such undertakings are treated in a manner that is consistent with their particular nature and contribution to social cohesion and to economic growth;

Or. fr

**Amendment 126**  
**Daniel Buda**

**Motion for a resolution**  
**Paragraph 10 a (new)**

*Motion for a resolution*

**Amendment 127**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

**11. Considers it appropriate that the Commission examines the possibility of establishing a line of financing to support innovation in social enterprises, in**

*Amendment*

**10a. Calls on the Commission and Member States to take tangible steps to unblock and attract the increased funding needed by social enterprises;**

Or. ro

**deleted**

*Amendment*

*particular when the innovative character of the activity carried out by the undertaking makes it difficult for it to ensure sufficient financing under normal market conditions;*

Or. en

#### **Amendment 128**

**Marie-Christine Vergiat, Jiří Maštálka**

#### **Motion for a resolution**

##### **Paragraph 11**

###### *Motion for a resolution*

11. Considers it appropriate that the Commission examines the possibility of establishing a line of financing to support innovation in social *enterprises*, in particular when the innovative character of the activity carried out by the undertaking makes it difficult for it to ensure sufficient financing under normal market conditions;

###### *Amendment*

11. Considers it appropriate that the Commission examines the possibility of establishing a line of financing to support innovation in *enterprises based on the social economy and solidarity*, in particular when the innovative character of the activity carried out by the undertaking makes it difficult for it to ensure sufficient financing under normal market conditions;

Or. fr

#### **Amendment 129**

**Virginie Rozière**

#### **Motion for a resolution**

##### **Paragraph 12**

###### *Motion for a resolution*

12. Calls on the Commission and Member States to engage in the collection of both quantitative and qualitative data, and analyses on social enterprises and their contribution to public policy within and across countries with a view to improving policy and strategy making;

###### *Amendment*

12. Calls on the Commission and Member States to engage in the collection of both quantitative and qualitative data, and analyses on social enterprises and their contribution to public policy within and across countries, *taking into account the specificities of these companies and using suitable, relevant criteria*, with a view to

improving policy and strategy making *and developing tools to support these enterprises in their development*;

Or. fr

### **Amendment 130**

**Marie-Christine Vergiat, Jiří Maštálka**

#### **Motion for a resolution**

##### **Paragraph 12**

###### *Motion for a resolution*

12. Calls on the Commission and Member States to engage in the collection of both quantitative and qualitative data, and analyses on social *enterprises* and their contribution to public policy within and across countries with a view to improving policy and strategy making;

###### *Amendment*

12. Calls on the Commission and Member States to engage in the collection of both quantitative and qualitative data, and analyses on *enterprises based on the social economy and solidarity* and their contribution to public policy within and across countries with a view to improving policy and strategy making;

Or. fr

### **Amendment 131**

**Gilles Lebreton, Marie-Christine Boutonnet**

#### **Motion for a resolution**

##### **Paragraph 13**

###### *Motion for a resolution*

*13. Requests the Commission to submit, on the basis of Article 50 of the Treaty on the Functioning of the European Union, a proposal for a legislative act on the creation of a European social label for social enterprises, following the recommendations set out in the Annex hereto;*

###### *Amendment*

*deleted*

Or. fr

**Amendment 132**

**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**

**Paragraph 13**

*Motion for a resolution*

13. Requests the Commission to submit, on the basis of Article 50 of the Treaty on the Functioning of the European Union, a proposal for a legislative act on the creation of a European social label for social *enterprises*, following the recommendations set out in the Annex hereto;

*Amendment*

13. Requests the Commission to submit, on the basis of Article 50 of the Treaty on the Functioning of the European Union, a proposal for a legislative act on the creation of a European social label for *enterprises based on the social economy and solidarity*, following the recommendations set out in the Annex hereto;

Or. fr

**Amendment 133**

**Gilles Lebreton, Marie-Christine Boutonnet**

**Motion for a resolution**

**Paragraph 14**

*Motion for a resolution*

14. *Considers that the financial implications of the requested proposal should be covered by the Union and the Member States;*

*Amendment*

*deleted*

Or. fr

**Amendment 134**

**Gilles Lebreton, Marie-Christine Boutonnet**

**Motion for a resolution**

**Annex I**

*Motion for a resolution*

*Amendment*

[...]

*deleted*

Or. fr

**Amendment 135**

**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**

**Annex I – paragraph 2**

*Motion for a resolution*

The European Parliament considers that the legislative act to be adopted should aim to create a ‘European social label’, which will be optional for social *enterprises*, regardless of the legal form they decide to adopt in accordance with national legislation.

*Amendment*

The European Parliament considers that the legislative act to be adopted should aim to create a ‘European social label’, which will be optional for *enterprises based on the social economy and solidarity*, regardless of the legal form they decide to adopt in accordance with national legislation.

Or. fr

**Amendment 136**

**Jean-Marie Cavada, António Marinho e Pinto**

**Motion for a resolution**

**Annex I – paragraph 3 – introductory part**

*Motion for a resolution*

The European Parliament considers that the ‘European social label’ should only be awarded to enterprises complying with the following criteria:

*Amendment*

The European Parliament considers that the ‘European social label’ should only be awarded to enterprises complying with the following criteria *in a cumulative manner*:

Or. fr

**Amendment 137**

**Marie-Christine Vergiat, Jiří Maštálka, Virginie Rozière**

**Motion for a resolution**

**Annex I – paragraph 3 – point b**



*Motion for a resolution*

(b) its purpose must be *of* general interest *and/or* public utility;

*Amendment*

(b) its purpose must be *essentially focused on the* general interest *or* public utility;

Or. fr

**Amendment 138**

**Pascal Durand**

**Motion for a resolution**

**Annex I – paragraph 3 – point c**

*Motion for a resolution*

(c) it should conduct a socially useful activity, *as determined by law, either ex ante or through a general clause;*

*Amendment*

(c) it should conduct a socially useful *and solidarity-based* activity, *i.e. via its activities it should aim to provide support to vulnerable groups, to combat social exclusion, inequality and violations of fundamental rights, including at the international level, or to help protect the environment, biodiversity, the climate and natural resources;*

Or. fr

**Amendment 139**

**Virginie Rozière**

**Motion for a resolution**

**Annex I – paragraph 3 – point c**

*Motion for a resolution*

(c) it should conduct a socially useful activity, as determined by law, either ex ante or through a general clause;

*Amendment*

(c) it should conduct a socially useful activity, as determined by law, either ex ante or through a general clause, *with a view to contributing to the cultural, moral, intellectual and physical development of its members or*

*beneficiaries and the improvement of their living conditions;*

Or. fr

**Amendment 140**  
**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**  
**Annex I – paragraph 3 – point c**

*Motion for a resolution*

(c) it should conduct a socially useful activity, as determined by law, either ex ante or through a general clause;

*Amendment*

(c) it should *essentially* conduct a socially useful activity, as determined by law, either ex ante or through a general clause;

Or. fr

**Amendment 141**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Annex I – paragraph 3 – point d**

*Motion for a resolution*

(d) it should be subject to a total or *at least partial* constraint on profit distribution and to specific rules on the allocation of profits and assets during its entire life, including at dissolution; in any case, the *majority of* the profits made by the undertaking should be reinvested or otherwise used to achieve its *social* purpose;

*Amendment*

(d) it should be subject to a total or *major* constraint on profit distribution and to specific rules on the allocation of profits and assets during its entire life, including at dissolution; in any case, the *majority of* the profits made by the undertaking should be reinvested or otherwise used to achieve its purpose;

Or. en

**Amendment 142**  
**Marie-Christine Vergiat, Jiří Maštálka**

### **Motion for a resolution**

#### **Annex I – paragraph 3 – point d**

##### *Motion for a resolution*

(d) it should be subject to **a total or** at least partial constraint on profit distribution and to specific rules on the allocation of profits and assets during its entire life, including at dissolution; in any case, the **majority of** the profits made by the undertaking should be reinvested or otherwise used to achieve its social purpose;

##### *Amendment*

(d) it should be subject to **an** at least partial constraint on profit distribution and to specific rules on the allocation of profits and assets during its entire life, including at dissolution; in any case, the **majority of** the profits made by the undertaking should be reinvested or otherwise used to achieve its social purpose;

Or. fr

### **Amendment 143**

**Virginie Rozière**

### **Motion for a resolution**

#### **Annex I – paragraph 3 – point e**

##### *Motion for a resolution*

(e) it should be ruled following democratic governance models involving the persons affected by the activity; members' power in decision-making should not be based only or primarily on any capital stake they may hold;

##### *Amendment*

(e) it should be ruled following democratic governance models involving the persons affected by the activity **in decision-making**; members' power in decision-making should not be based only or primarily on any capital stake they may hold, **but may be, in particular, carried out according to the principle of 'one person, one vote'**.

Or. fr

### **Amendment 144**

**Marie-Christine Vergiat, Jiří Maštálka**

### **Motion for a resolution**

#### **Annex I – paragraph 3 – point e**

*Motion for a resolution*

(e) it should be ruled following democratic governance models involving ***the persons*** affected by ***the activity***; members' power in decision-making ***should*** not be based ***only or primarily on any capital stake*** they may hold;

*Amendment*

(e) it should be ruled following democratic governance models involving ***its employees, customers and stakeholders*** affected by ***its activities***; members' power ***and weight*** in decision-making ***may*** not be based ***on the*** capital they may hold;

Or. fr

**Amendment 145**  
**Pascal Durand**

**Motion for a resolution**  
**Annex I – paragraph 3 – point e a (new)**

*Motion for a resolution*

*Amendment*

***(ea) it follows a fair compensation policy ensuring that the pay gap within the company may not exceed a ratio of 1/7.***

Or. fr

**Amendment 146**  
**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**  
**Annex I – paragraph 4**

*Motion for a resolution*

The European Parliament considers that nothing prevents ***commercial*** undertakings from being awarded the European social ***label*** if they comply with the above-mentioned requirements, in particular regarding the distribution of profits, governance and decision-making.

*Amendment*

The European Parliament considers that nothing prevents ***conventional*** undertakings from being awarded the European ***label for enterprises based on the social economy and solidarity*** if they comply with the above-mentioned requirements, in particular regarding the distribution of profits, governance and decision-making.

**Amendment 147**  
**Daniel Buda**

**Motion for a resolution**  
**Annex I – paragraph 4**

*Motion for a resolution*

The European Parliament considers that nothing prevents commercial undertakings from being awarded the European social label if they comply with the above-mentioned requirements, in particular regarding the distribution of profits, governance and decision-making.

*Amendment*

The European Parliament considers that nothing prevents commercial undertakings from being awarded the European social label if they comply with the above-mentioned requirements, in particular regarding ***their object***, the distribution of profits, governance and decision-making.

Or. ro

**Amendment 148**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Annex I – paragraph 6**

*Motion for a resolution*

The legislative act should establish a mechanism of certification and of supervision and monitoring of the legal label with the involvement of Member States, which is essential to protect the legal label of ‘social enterprise’ and preserve its intrinsic value. The European Parliament considers ***that this public control could*** involve secondary organisations ***representative*** for the social enterprise sector.

*Amendment*

The ***possible*** legislative act should establish a mechanism of certification and of supervision and monitoring of the legal label with the ***close*** involvement of Member States, which is essential to protect the legal label of ‘social enterprise’ and preserve its intrinsic value. The European Parliament considers ***it important to*** involve secondary organisations’ ***representatives*** for the social enterprise sector. ***Penalties and sanctions for the infringement of legislation could range from a mere admonition to the withdrawal of the label.***

Or. en

### Amendment 149

Marie-Christine Vergiat, Jiří Maštálka

#### Motion for a resolution

##### Annex I – paragraph 6

###### *Motion for a resolution*

The legislative act should establish a mechanism of certification and of supervision and monitoring of the legal label with the involvement of Member States, **which** is essential to protect the legal label of ‘social **enterprise**’ and preserve its intrinsic value. The European Parliament considers that this **public** control **could** involve **secondary** organisations representative **for** the social enterprise sector.

###### *Amendment*

The legislative act should establish a mechanism of certification and of supervision and monitoring of the legal label with the involvement of Member States **and representatives of the social economy; such a mechanism** is essential to protect the legal label of ‘**enterprise based on the social economy and solidarity**’ and preserve its intrinsic value. The European Parliament considers that this control **should** involve organisations representative **of** the social enterprise sector.

Or. fr

### Amendment 150

Angel Dzhambazki

#### Motion for a resolution

##### Annex I – paragraph 7

###### *Motion for a resolution*

Penalties and sanctions for the infringement of **the** legislation could range from a mere admonition to the withdrawal of the label.

###### *Amendment*

Penalties and sanctions for the infringement of legislation could range from a mere admonition to the withdrawal of the label.

Or. en

### Amendment 151

Marie-Christine Vergiat, Jiří Maštálka

**Motion for a resolution**  
**Annex I – paragraph 9**

*Motion for a resolution*

The European social label should be valid in all Member States. An enterprise bearing the label should be recognised as **a social enterprise** in all Member States. The label should allow any undertaking bearing it to carry out its main activity in other Member States under the same requirements as national undertakings bearing the label. They should enjoy the same benefits, rights and obligations as the social **enterprises** incorporated under the law of the Member State in which they operate.

*Amendment*

The European social label should be valid in all Member States. An enterprise bearing the label should be recognised as **an enterprise based on the social economy and solidarity** in all Member States. The label should allow any undertaking bearing it to carry out its main activity in other Member States under the same requirements as national undertakings bearing the label. They should enjoy the same benefits, rights and obligations as **enterprises based on the social economy and solidarity** incorporated under the law of the Member State in which they operate.

Or. fr

**Amendment 152**  
**Angel Dzhambazki**

**Motion for a resolution**  
**Annex I – paragraph 9**

*Motion for a resolution*

The European social label should be valid in all Member States. An enterprise bearing the label should be recognised as a social enterprise in all Member States. The label should allow any undertaking bearing it to carry out its main activity in other Member States under the same requirements as national undertakings bearing the label. They should enjoy the same benefits, rights and obligations as the social enterprises incorporated under the law of the Member State in which they operate.

*Amendment*

The European social label should be valid in all Member States. An enterprise bearing the label should be recognised as a social enterprise in all Member States, **as far as this is compatible with national law**. The label should allow any undertaking bearing it to carry out its main activity in other Member States under the same requirements as national undertakings bearing the label. They should enjoy the same benefits, rights and obligations as the social enterprises incorporated under the law of the Member State in which they operate.

Or. en

### **Amendment 153**

**Marie-Christine Vergiat, Jiří Maštálka**

#### **Motion for a resolution**

##### **Annex I – paragraph 11**

###### *Motion for a resolution*

The legislative act should require social *enterprises* willing to maintain the label to issue on a regular basis a social report on their activities, results, involvement of stakeholders, allocation of profits, salaries, subsidies, and other benefits received. In this regard, the Commission should be authorised to produce a model to help social *enterprises in* this endeavour.

###### *Amendment*

The legislative act should require *enterprises based on the social economy and solidarity* willing to maintain the label to issue on a regular basis a social report on their activities, results, involvement of stakeholders, allocation of profits, salaries, subsidies, and other benefits received. In this regard, the Commission should be authorised to produce a model to help *enterprises based on the social economy and solidarity with* this endeavour.

Or. fr

### **Amendment 154**

**Emil Radev**

#### **Motion for a resolution**

##### **Annex I – paragraph 11**

###### *Motion for a resolution*

The legislative act should require social enterprises willing to maintain the label to issue on a regular basis a social report on their activities, results, involvement of stakeholders, allocation of profits, salaries, subsidies, and other benefits received. In this regard, the Commission should be authorised to produce a model to help social enterprises in this endeavour.

###### *Amendment*

The legislative act should require social enterprises willing to maintain the label to issue on a regular basis a social report on their activities, results, involvement of stakeholders, allocation of profits, salaries, subsidies, and other benefits received, *in accordance with the relevant national rules*. In this regard, the Commission should be authorised to produce a model to help social enterprises in this endeavour.

Or. bg



**Amendment 155**  
**Virginie Rozière**

**Motion for a resolution**  
**Annex I – paragraph 11**

*Motion for a resolution*

The legislative act should require social *enterprises* willing to maintain the label to issue on *a regular* basis a social report on their activities, results, involvement of stakeholders, allocation of profits, salaries, subsidies, and other benefits received. In this regard, the Commission should be authorised to produce a model to help social *enterprises in* this endeavour.

*Amendment*

The legislative act should require *enterprises based on the social economy and solidarity* willing to maintain the label to issue on *an annual* basis a social report on their activities, results, involvement of stakeholders, allocation of profits, salaries, subsidies, and other benefits received. In this regard, the Commission should be authorised to produce a model to help *enterprises based on the social economy and solidarity with* this endeavour.

Or. fr

**Amendment 156**  
**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**  
**Annex I – paragraph 13 – introductory part**

*Motion for a resolution*

The legislative act should also authorise the Commission to establish guidelines *for* good practices for social *enterprises* in Europe. These good practices should include *at least* the following:

*Amendment*

The legislative act should also authorise the Commission to establish guidelines *of* good practices for *enterprises based on the social economy and solidarity* in Europe. These good practices should include, *in particular*, the following:

Or. fr

**Amendment 157**  
**Marie-Christine Vergiat, Virginie Rozière, Jiří Maštálka**

**Motion for a resolution**  
**Annex I – paragraph 13 – point c**

*Motion for a resolution*

(c) adaptation to *local* social needs and to the *local* employment market;

*Amendment*

(c) adaptation to social needs and to the employment market, *particularly at the local level*;

Or. fr

**Amendment 158**

**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**

**Annex I – paragraph 13 – point e**

*Motion for a resolution*

(e) relations with users and clients and the response to social needs not *yet* covered by the market or the State;

*Amendment*

(e) relations with users and clients and the response to social needs not covered by the market or the State;

Or. fr

**Amendment 159**

**Virginie Rozière**

**Motion for a resolution**

**Annex I – paragraph 13 – point f**

*Motion for a resolution*

(f) the situation of the enterprise with regard to diversity, non-discrimination and *equal opportunities* for men and women *among their members*, including positions of responsibility and leadership;

*Amendment*

(f) the situation of the enterprise with regard to diversity, non-discrimination and *equality* for men and women, including positions of responsibility and leadership;

Or. fr

**Amendment 160**

**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**  
**Annex I – paragraph 13 – point f**

*Motion for a resolution*

(f) the situation of the enterprise with regard to diversity, non-discrimination and *equal opportunities* for men and women *among their members*, including positions of responsibility and leadership;

*Amendment*

(f) the situation of the enterprise with regard to diversity, non-discrimination and *equality* for men and women, including positions of responsibility and leadership;

Or. fr

**Amendment 161**  
**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**  
**Annex I – paragraph 14**

*Motion for a resolution*

*Recommendation 6 (list of legal forms)*

*deleted*

*Amendment*

Or. fr

**Amendment 162**  
**Marie-Christine Vergiat, Jiří Maštálka**

**Motion for a resolution**  
**Annex I – paragraph 15**

*Motion for a resolution*

*The legislative act should include a revisable list of legal forms in Member States of enterprises and undertakings qualifying for the European social label.*

*deleted*

*Amendment*

Or. fr

**Amendment 163**  
**Daniel Buda**

**Motion for a resolution**  
**Annex I – paragraph 15**

*Motion for a resolution*

The legislative act should include a revisable list of legal forms in Member States of enterprises and undertakings qualifying for the European social label.

*Amendment*

The legislative act should include a revisable list of legal forms in Member States of enterprises and undertakings qualifying for the European social label.  
***In order to ensure transparency and effective cooperation between the Member States, that list should be published on the European Commission website and kept up to date.***

Or. ro

**Amendment 164**  
**Daniel Buda**

**Motion for a resolution**  
**Annex I – paragraph 16 a (new)**

*Motion for a resolution*

*Amendment*

***Recommendation 8 (on the eco-system for social enterprises and cooperation between Member States)***

***The Commission should ensure that its policies reflect the commitment to create an eco-system for social enterprises. The Commission is invited to take account of the fact that social and solidarity-based economy enterprises have a strong local and regional influence, which gives them the advantage of being more aware of specific needs and able to offer products and services, most of them community-based, as well as to enhance social and territorial cohesion. The Commission is invited to take steps to promote cooperation between social and solidarity-based economy enterprises across national and sectoral boundaries so as to nurture the exchange of knowledge and***

*practices in such a way as to support the development of social enterprises;*

Or. ro

**Amendment 165**

**Pascal Durand**

**Motion for a resolution**

**Annex I – paragraph 17 a (new)**

*Motion for a resolution*

*Amendment*

***Recommendation 8.***

***The legislative act should set out a series of measures to promote the creation and development of social and solidarity-based enterprises. These measures should, as a minimum requirement, provide companies that have been recognised as social and solidarity-based enterprises with the following:***

- privileged access to public and private funding;***
- privileged conditions for access to public procurement contracts;***
- dedicated tax regimes.***

Or. fr