

**Question for oral answer O-000024/2015
to the Commission**

Rule 128

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on behalf of the PPE Group

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on behalf of the ALDE Group

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on behalf of the ECR Group

Subject: Compliance of German provisions with EU law on the minimum wage in the transport sector

According to a German law which came into force on 1 January 2015, the minimum wage for an employee active in the territory of Germany cannot be less than EUR 8.50 per hour. This applies not only to residents of Germany but also to employees of employers residing outside of Germany, for example hauliers who are employed by a non-resident employer but must transit goods through German territory, or in the case of cross-border and cabotage transport missions. Moreover, according to this act, the registration documents required from such employers have to be faxed – well in advance and only in German – to the German authorities, exclusively via a Germany-based subsidiary company or by an official representative resident in Germany. These registration, control and reporting obligations go far beyond what is necessary to ensure employee protection, and cause extra costs and a disproportionate administrative burden for employers, especially SMEs from other Member States.

To what extent may domestic regulations cover foreign road transport operations – including transit – while remaining compatible with EU law? What does EU law provide for in this respect?

Does the Commission consider this act to be in accordance with the *acquis* of the Union? If not, which provisions of EU law are affected?

After receiving a formal answer from the German Government to pilot procedure 7312/15, would the Commission consider initiating a formal infringement procedure against Germany?

Can the Commission confirm that application of this law would constitute an obstacle to the free movement of services and therefore to the completion of the EU single market, including a Single European Transport Area?

When and how is the Commission going to align this situation with EU law, thus pursuing the aim of maintaining economic freedoms in the EU, including those which enable European companies and workers to freely operate within the territory of the Member States?

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Forwarded: 16.3.2015

Deadline for reply: 23.3.2015