

**Question for written answer P-004192/2016
to the Commission**

Rule 130

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Subject: Interpretation of the list of administrative requirements and control measures pursuant to Article 9 of the Enforcement Directive concerning the Posting of Workers Directive (2014/67/EU)

The list of items of information which Member States can require service providers to submit, which appears in Article 9(1) of the Enforcement Directive, is not exhaustive and may be expanded if there are particular reasons for that to be done: paragraph 2 stipulates that 'other administrative requirements and control measures' may be imposed if existing measures are no longer sufficient to ensure effective monitoring.

At the conference of the Dutch Presidency of the Council on 6 and 7 February 2016 in Amsterdam, this very list was described by DG EMPL as 'exhaustive'. This can be seen on Slide 7 of the presentation slides which are available for public inspection (http://www.inspectieszw.nl/Images/Presentation-Pereira-Enforcement-Directive_tcm335-373041.pdf). This reinterpretation not only interferes with the current enforcement process but also disregards a definition which was adopted in the course of the legislative procedure.

An exhaustive list means that the control authorities can no longer demand vital information and documents in order to clarify issues relating to posting of workers unless the items in question are explicitly mentioned in Article 9.

On what grounds is the list of administrative requirements and control measures described as exhaustive?