

Question for written answer P-006293/2017
to the Commission
Rule 130
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Subject: Information society services

According to an opinion recently delivered by the Advocate General of the EU Court of Justice (C-454/15), 'a composite service may fall within the concept of 'information society service' where the supply which is not made by electronic means is economically independent of the service which is provided by that means (as is the case, for example, of intermediation platforms for purchasing flights or making hotel bookings)' According to the Advocate General, the service offered by Uber, which in economic terms is principally transport, cannot therefore be classified as an 'information society service' and, as a transport undertaking, it is hence regulated by the laws of the Member States.

In view of this:

- Is an information society service being provided by electronic platforms acting as straightforward intermediaries - using smartphone applications - between passengers and state-licensed drivers who already provide a transport service independently of these platforms?
- Are provisions restricting the use of such applications to transport operators not undermining efforts to ensure a competitive business environment? What can be done to improve the business environment, remove obstacles to competition and, in particular, boost the development of new technologies and make them more sustainable if these online platform applications are not considered as information society services?