



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Employment and Social Affairs

2010/2053(INI)

12.7.2010

DRAFT OPINION

of the Committee on Employment and Social Affairs

for the Committee on the Internal Market and Consumer Protection

on the implementation of the Services Directive (2006/123/EC)
(2010/2053(INI))

Rapporteur: Jean-Luc Bennahmias

PA_NonLeg

SUGGESTIONS

The Committee on Employment and Social Affairs calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

- A. whereas the internal services market must develop fully whilst preserving the European social model,
 - 1. Hopes that the Services Directive will genuinely have a positive impact by creating jobs and improving the quality and safety of services provided;
 - 2. Recalls that the Services Directive must be interpreted in the light of the new treaty provisions, in particular Article 3 of the Treaty on European Union, the horizontal social clause in Article 9 of the Treaty on the Functioning of the European Union (TFEU), Article 14 TFEU, Protocol No 26 annexed to the Treaties, and the Charter of Fundamental Rights of the European Union;
 - 3. Recalls that the directive excludes a number of fields from its scope of application, including non-economic services of general interest, healthcare services and most social services; adds that the directive does not apply to labour law and does not affect Member States' social security legislation either;
 - 4. Considers that there are still issues to be clarified regarding the scope of application of the directive; considers that a directive clearly defining the concepts of 'commercial services', 'services of general economic interest' and 'social services of general interest' is more necessary than ever in order to precisely delineate the Service Directive's scope of application and the law applicable to services not subject to the directive, with particular regard to authorisation schemes;
 - 5. Considers that the points of single contact should be used as information centres for issues related to the directive, in particular regarding applicable labour law and workers' rights in force under the directive;
 - 6. Invites the Employment Committee referred to in Article 150 TFEU to issue regular reports on the effects of the directive's implementation on employment, from both a quantitative and a qualitative point of view.