



2015/2326(INI)

31.3.2016

AMENDMENTS

1 - 78

Draft opinion
Ramon Tremosa i Balcells
(PE578.521v01-00)

on monitoring the application of Union law: 2014 Annual Report
(2015/2326(INI))

Amendment 1
Ramon Tremosa i Balcells

Draft opinion
Paragraph -1 (new)

Draft opinion

Amendment

-1. Whereas in 2014 the European Commission received 3715 complaints reporting potential breaches of EU law, being Spain (553), Italy (475) and Germany (276) the Member States that most complaints were filed against;

Or. en

Amendment 2
Ramon Tremosa i Balcells

Draft opinion
Paragraph -1 a (new)

Draft opinion

Amendment

-1a. Whereas in 2014 the Commission launched 893 new infringement procedures, being Greece (89), Italy (89) and Spain (86) the Member States with a highest number of open cases;

Or. en

Amendment 3
Ramon Tremosa i Balcells

Draft opinion
Paragraph -1 b (new)

Draft opinion

Amendment

-1b. Whereas between 2010 and 2014

3550 infringement cases where open due to late transposition by Member States of the 439 directives, with an average of 8 Member States infringing every directive approved during that period; Belgium (36), Romania (34) and Slovenia (26) where the most affected MS¹;

¹ **Data from Recitals A, B and C come from the Report from the Commission on "Monitoring the application of Union law 2014 Annual Report" (9.7.2015).**

Or. en

Amendment 4
Esther de Lange

Draft opinion
Paragraph 1

Draft opinion

1. Considers that the effectiveness of EU law is systematically undermined by its unsatisfactory application by Member States; notes that **this** lack of enforcement is at the root of a number of European crises;

Amendment

1. Considers that the effectiveness of EU law is systematically undermined by its unsatisfactory application by Member States; notes that **the** lack of **implementation and** enforcement is at the root of a number of European crises;

Or. en

Amendment 5
Matt Carthy

Draft opinion
Paragraph 1

Draft opinion

1. Considers that the effectiveness of EU law is systematically undermined by **its unsatisfactory application by Member States**; notes that this lack of **enforcement**

Amendment

1. Considers that the effectiveness of EU law is systematically undermined by **the EU routinely ignoring every legal and constitutional obstacle in its way in order**

is at the root of a number of European crises;

to increase their supranational power;
notes that this lack of *respect for the rule of Law* is at the root of a number of European crises *and has led to a widespread lack of trust and confidence in the aims and objectives of the European Union;*

Or. en

Amendment 6 **Kay Swinburne**

Draft opinion **Paragraph 1**

Draft opinion

1. Considers that the effectiveness of EU law is *systematically* undermined by its unsatisfactory application by Member States; notes that this lack of enforcement *is at the root of a number of European crises;*

Amendment

1. Considers that the effectiveness of EU law is undermined by its unsatisfactory application by Member States; notes that this lack of enforcement *creates an unlevel playing field within the single market;*

Or. en

Amendment 7 **Michel Reimon** on behalf of the Verts/ALE Group

Draft opinion **Paragraph 1**

Draft opinion

1. Considers that the effectiveness of EU law is systematically undermined by its unsatisfactory application by Member States; notes that this lack of *enforcement is at the root of* a number of European crises;

Amendment

1. Considers that the effectiveness of EU law is systematically undermined by its unsatisfactory application by Member States; notes that this lack of *plays an important role as regards* a number of European crises *and harms the European citizens;*

Or. en

Amendment 8
Burkhard Balz

Draft opinion
Paragraph 1

Draft opinion

1. Considers that the effectiveness of EU law is systematically undermined by its unsatisfactory application by Member States; notes that *this* lack of enforcement is at the root of a number of European crises;

Amendment

1. Considers that the effectiveness of EU law is systematically undermined by its unsatisfactory application by Member States *and unsatisfactory follow-up action by the Commission*; notes that *the* lack of *application and* enforcement is at the root of a number of European crises;

Or. en

Amendment 9
Marco Valli, Marco Zanni

Draft opinion
Paragraph 1

Draft opinion

1. Considers that the effectiveness of EU law is systematically undermined by its unsatisfactory application by *Member States*; notes that this lack of enforcement is at the root of a number of *European* crises;

Amendment

1. Considers that the effectiveness of EU law is systematically undermined by its unsatisfactory *and asymmetric* application by *the EU institutions*; notes that this lack of enforcement is at the root of a number of *EU* crises *and inefficiencies*;

Or. it

Amendment 10
Doru-Claudian Frunzulică, Tibor Szanyi, Cătălin Sorin Ivan, Renato Soru, Jonás Fernández, Ramón Jáuregui Atondo

Draft opinion
Paragraph 1

Draft opinion

1. Considers that the effectiveness of EU law is *systematically undermined by its unsatisfactory application by Member States; notes that this lack of enforcement is at the root of a number of European crises;*

Amendment

1. Considers that the effectiveness of EU law is *fundamental in achieving an "ever closer" Union as enshrined in the TEU; recognizes the Charter of Fundamental Rights of the European Union of same legal value as the Treaties. Notes that the lack of enforcement of EU law weakens the EU itself;*

Or. en

Amendment 11
Kay Swinburne

Draft opinion
Paragraph 1 a (new)

Draft opinion

Amendment

1a. Considers that unrealistic implementation deadlines for legislation can lead to an inability of Member States to comply which provides tacit endorsement to delaying application; Calls upon the Commission to provide realistic timetables for implementation of regulations and directives prior to conclusion of the legislative procedure, taking due account of necessary scrutiny and consultation periods;

Or. en

Amendment 12
Sylvie Goulard, Ramon Tremosa i Balcells, Marian Harkin

Draft opinion
Paragraph 1 a (new)

Draft opinion

Amendment

1a. calls on the Commission to dedicate,

for each directorate-general, a webpage listing the Member States not having transposed directives or not complying with decisions and regulations; considers it should be updated on a monthly basis and should detail which directives have not been transposed and/or which decisions and regulations have not been complied with;

Or. en

Amendment 13

Sylvie Goulard, Ramon Tremosa i Balcells, Marian Harkin

Draft opinion

Paragraph 1 b (new)

Draft opinion

Amendment

Ib. considers that the Commission should more actively tackle cases of improperly transposed directives, as it may cover cases of both involuntary and of voluntary action by Member States;

Or. en

Amendment 14

Sylvie Goulard, Ramon Tremosa i Balcells, Marian Harkin

Draft opinion

Paragraph 1 c (new)

Draft opinion

Amendment

Ic. considers it the duty of the Commission to oppose the two legislative branches of decision making at the European level leaving substantive elements to be decided through delegated acts/implementing acts during the co-decision process, due to the legal uncertainties and potential risks, dangers and complications which could result;

Amendment 15

Sylvie Goulard, Ramon Tremosa i Balcells, Marian Harkin

Draft opinion

Paragraph 1 d (new)

Draft opinion

Amendment

Id. expresses concern that the settlement concluded with the UK on February 19 2016 has been concluded outside of the EU treaty framework which could create legal uncertainties; underlines the importance of the Court of Justice in its enforcement control as well as its sovereign power;

Or. en

Amendment 16

Marco Valli, Marco Zanni

Draft opinion

Paragraph 2

Draft opinion

Amendment

2. Notes *with concern* that *11* directives *in the area of banking and finance* legislation *are being infringed by one or more Member States, with Germany being the only country to comply with all existing legislation in this field, and Austria the only other Member State with fewer than three infringements*¹;

2. Notes that *the* directives *relating to* banking legislation *have been applied unevenly, which has created fragmentation among the EU States to the detriment of less financially-oriented systems and to the benefit of large investment banking groups*;

(footnote deleted)

Or. it

Amendment 17

Doru-Claudian Frunzulică, Alfred Sant, Tibor Szanyi, Cătălin Sorin Ivan, Hugues Bayet, Renato Soru, Jonás Fernández, Ramón Jáuregui Atondo

Draft opinion

Paragraph 2

Draft opinion

2. Notes with concern that 11 directives in the area of banking and finance legislation are being infringed by one or more Member States, *with Germany being the only country to comply with all existing legislation in this field, and Austria the only other Member State with fewer than three infringements*¹ ;

¹ *Particularly worrying are the cases of Poland (10 infringements), Luxembourg (9) and Slovenia, Spain and Estonia (8 each).*

Amendment

2. Notes with concern that 11 directives in the area of banking and finance legislation are being infringed by one or more Member States;

Or. en

Amendment 18

Michel Reimon

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 3

Draft opinion

3. Points out that the Late Payments Directive is still not *implemented well* in 11 Member States, and that the situation is worst in Italy, Cyprus, Spain, Portugal and Greece, where the delay in B2B² payments is well above average³ ;

² Business-to-business.

³ See ‘Transposition and implementation of the Directive on Late Payments in Commercial Transactions’, European

Amendment

3. Points out that the Late Payments Directive is still not *properly implemented* in 11 Member States, and that the situation is worst in Italy, Cyprus, Spain, Portugal and Greece, where the delay in B2B² payments is well above average³ ;

² Business-to-business.

³ See ‘Transposition and implementation of the Directive on Late Payments in Commercial Transactions’, European

Amendment 19

Doru-Claudian Frunzulică, Tibor Szanyi, Cătălin Sorin Ivan, Renato Soru, Jonás Fernández, Ramón Jáuregui Atondo

Draft opinion

Paragraph 3

Draft opinion

3. Points out that the Late Payments Directive is still not implemented well in 11 Member States, and *that the situation is worst in Italy, Cyprus, Spain, Portugal and Greece, where the delay in B2B² payments is well above average³* ;

² Business-to-business.

³ See ‘Transposition and implementation of the Directive on Late Payments in Commercial Transactions’, European Parliamentary Research Service.

Amendment

3. Points out that the Late Payments Directive is still not implemented well in 11 Member States, and *is also correlated to the state of public finances affected by the economic crisis; notes as well that the delay in B2B payments is well above average; points out that also the directive on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, the directive on requirements for budgetary framework of the Member States and the directive on consumer rights have not yet been transposed;*

² Business-to-business.

³ See ‘Transposition and implementation of the Directive on Late Payments in Commercial Transactions’, European Parliamentary Research Service.

Amendment 20

Ramon Tremosa i Balcells

Draft opinion

Paragraph 3

Draft opinion

3. Points out that the Late Payments Directive is still not implemented well in 11 Member States, and that the situation is worst in Italy, Cyprus, Spain, Portugal and Greece, where the delay in B2B² payments is well above average³;

² Business-to-business.

³ See 'Transposition and implementation of the Directive on Late Payments in Commercial Transactions', European Parliamentary Research Service.

Amendment

3. Points out that the Late Payments Directive is still not implemented well in 11 Member States, ***most of them being the ones that suffered most from the economic crisis and would be most able to reap its benefits***, and that the situation is worst in Italy, Cyprus, Spain, Portugal and Greece, where the delay in B2B² payments is well above average³ ***causing additional problems for SMEs^{3a}***;

² Business-to-business.

³ See 'Transposition and implementation of the Directive on Late Payments in Commercial Transactions', European Parliamentary Research Service.

^{3a} ***"The Economic Impact of Late Payments", September 2014, European Commission.***

Or. en

Amendment 21

Jonás Fernández, Ramón Jáuregui Atondo

**Draft opinion
Paragraph 4**

Draft opinion

4. Recalls that non-compliance with the Maastricht criteria, and the lenient enforcement of the Stability and Growth Pact rules by the Commission and the Council before 2010, contributed to the emergence of the European debt crisis that followed the global financial crisis;

Amendment

deleted

Or. es

Amendment 22

Michel Reimon

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 4

Draft opinion

4. Recalls that *non-compliance with the Maastricht criteria, and the lenient enforcement of the Stability and Growth Pact rules by the Commission and the Council before 2010, contributed to the emergence of* the European debt crisis that followed the global financial crisis;

Amendment

4. Recalls that *the pro-cyclical and highly discretionary enforcement of the Stability and Growth Pact rules by the Commission, the Council and Member States before and after 2008 aggravated* the European debt crisis that followed the global financial crisis; *asks the Commission and the Council to adopt a more proactive stance as regards the enforcement of the macroeconomic imbalances procedure and in particular when it comes to the effective prevention of severe macroeconomic and financial imbalances such as excessive current account surpluses;*

Or. en

Amendment 23

Esther de Lange

Draft opinion

Paragraph 4

Draft opinion

4. Recalls that non-compliance with the Maastricht criteria, and the lenient enforcement of the Stability and Growth Pact rules by the Commission and the Council *before 2010*, contributed to the emergence of the European debt crisis that followed the global financial crisis;

Amendment

4. Recalls that non-compliance with the Maastricht criteria, and the lenient enforcement of the Stability and Growth Pact rules by the Commission and the Council, contributed to the emergence of the European debt crisis that followed the global financial crisis;

Or. en

Amendment 24
Ramon Tremosa i Balcells

Draft opinion
Paragraph 4

Draft opinion

4. Recalls that non-compliance with the Maastricht criteria, and the lenient enforcement of the Stability and Growth Pact rules by the Commission and the Council before 2010, contributed to the emergence of the European debt crisis that followed the global financial crisis;

Amendment

4. Recalls that non-compliance with the Maastricht criteria, and the lenient enforcement of the Stability and Growth Pact rules by the Commission and the Council before 2010, contributed to the emergence of the European debt crisis that followed the global financial crisis; ***and points out that besides the persistent non-compliance of Greece, France and Germany infringed deficit rules earlier (in 2003-2004) and that Commission and Council did not react to these breaches with a stringent application of the rules, including possible sanctions.***

Or. en

Amendment 25
Doru-Claudian Frunzulică, Tibor Szanyi, Hugues Bayet, Renato Soru, Jonás Fernández, Ramón Jáuregui Atondo

Draft opinion
Paragraph 4

Draft opinion

4. Recalls that ***non-compliance with the Maastricht criteria, and the lenient enforcement of the Stability and Growth Pact rules by the Commission and the Council before 2010, contributed to the emergence of the European debt crisis that followed the global financial crisis;***

Amendment

4. Recalls that ***following the global financial crisis which led to a European debt crisis, the EU has further strengthened its economic coordination and banking supervision; stresses the importance of completing the Banking Union, deepening the EMU and creating a CMU that finances the real economy and growth in Europe; invites all Member States to make full use of flexibility within the existing rules of the Stability and Growth Pact as per Commission's Communication COM (0215)12;***

Amendment 26

Marco Valli, Marco Zanni

Draft opinion

Paragraph 4

Draft opinion

4. Recalls that non-compliance with the Maastricht criteria, and the lenient enforcement of the Stability and Growth Pact rules by the Commission and the Council before 2010, contributed to the emergence of the European debt crisis that followed the global financial crisis;

Amendment

4. Condemns the fact that the policies the Commission has imposed with the euro constraining exchange-rate flexibility have significantly limited Member States' ability to respond to crises and have caused a drop in competitiveness, a fall in domestic production and the loss of jobs, crises in the credit banking sector, an increase in debt, the cutting of welfare payments and the selling-off of public assets and services to the benefit of large capital holders;

Or. it

Amendment 27

Burkhard Balz

Draft opinion

Paragraph 4

Draft opinion

4. Recalls that non-compliance with the Maastricht criteria, and the lenient enforcement of the Stability and Growth Pact rules by the Commission and the Council **before 2010**, contributed to the emergence of the European debt crisis **that followed** the global financial crisis;

Amendment

4. Recalls that non-compliance with the Maastricht criteria, and the lenient enforcement of the Stability and Growth Pact rules by the Commission and the Council **essentially** contributed to the emergence of the European debt crisis **in 2009 and to an aggravation of** the global financial crisis;

Or. en

Amendment 28
Matt Carthy, Miguel Viegas, Paloma López Bermejo

Draft opinion
Paragraph 4

Draft opinion

4. Recalls that *non-compliance with the Maastricht criteria, and the lenient enforcement of the Stability and Growth Pact rules by the Commission and the Council before 2010*, contributed to the emergence of the European debt crisis that followed the global financial crisis;

Amendment

4. Recalls that *the Stability and Growth Pact (SGP), the 6-pack and the 2-pack, as well as the Fiscal Compact, unnecessarily constrains the vital fiscal policy space of the Eurozone Member States, depriving them of the only effective macroeconomic tool in a context of weak demand and ineffective monetary policy; recalls that it was these austerity policies which* contributed to the emergence of the European debt crisis that followed the global financial crisis;

Or. en

Amendment 29
Fulvio Martusciello

Draft opinion
Paragraph 4

Draft opinion

4. Recalls that non-compliance with the Maastricht criteria, and the lenient enforcement of the Stability and Growth Pact rules by the Commission and the Council before 2010, contributed to the emergence of the European debt crisis that followed the global financial crisis;

Amendment

4. Recalls that non-compliance with the Maastricht criteria, and the lenient enforcement of the Stability and Growth Pact rules by the Commission and the Council before 2010, contributed to the emergence of the European *sovereign* debt crisis that followed the global financial crisis; *is concerned at the persisting non-compliance and inconsistent enforcement of the SGP rules and considers that this still represents a major challenge in some instances;*

Or. en

Amendment 30
Matt Carthy, Miguel Viegas, Paloma López Bermejo

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4a. Stresses that the 2008 financial crisis resulted in a colossal intervention by EU governments in support of the financial sector; points out that the total state aid granted to the financial sector amounted to more than EUR 5 trillion, representing 40.3 % of EU GDP;

Or. en

Amendment 31
Ramon Tremosa i Balcells

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4a. Is deeply worried by the fact that under the Excessive Deficit Procedure from SGP while France has not complied with the structural deficit targets of the Commission in 2013 and 2014, and while no assessment of the effective action has been carried out by the Commission for the whole correction period (2013-2015), it has again been granted additional years to correct its excessive deficit; calls on the Commission to ensure that Spain and Portugal take action to reach their structural deficit targets¹.

¹ ***Briefing from the ECON governance support unit: "Implementation of the Stability and Growth Pact and the Opinions on the 2016 Draft Budgetary Plans"***.

Amendment 32
Matt Carthy, Miguel Viegas

Draft opinion
Paragraph 4 b (new)

Draft opinion

Amendment

4b. Recalls, that according to the OECD 2012 report, the sustainability of sovereign debt was significantly affected by the extent of explicit or implicit guarantees for bank debt;

Or. en

Amendment 33
Marco Valli, Marco Zanni

Draft opinion
Paragraph 5

Draft opinion

Amendment

5. Points out that in 2014 only 10 of the 157 main recommendations made to Member States in the framework of the European Semester were fully implemented or showed substantial progress⁴;

deleted

⁴ Success rate of around 6.5%: **Zsolt Darvas and Alvaro Leandro, 'The Limitations of Policy Coordination in the Euro Area under the European Semester', Bruegel, November 2015.**

Or. it

Amendment 34
Danuta Maria Hübner

Draft opinion
Paragraph 5

Draft opinion

5. Points out that in 2014 only 10 of the 157 main recommendations made to Member States in the framework of the European Semester were fully implemented or showed substantial progress⁴ ;

⁴ Success rate of around 6.5%: Zsolt Darvas and Alvaro Leandro, ‘The Limitations of Policy Coordination in the Euro Area under the European Semester’, Bruegel, November 2015.

Amendment

5. Points out that in 2014 only 10 of the 157 main recommendations made to Member States in the framework of the European Semester were fully implemented or showed substantial progress⁴ ; ***calls, in this context, for following the recommendations made on the European Semester in the Five presidents' report on deepening the EMU, that is: more concrete and ambitious Country-Specific Recommendations and a clearer focus on defined priorities while leaving the necessary room for manoeuvre to Member States in the implementation of CSRs, as well as a more systematic use of reporting, peer review and "comply-or-explain" approach in order to ensure proper implementation;***

⁴ Success rate of around 6.5%: Zsolt Darvas and Alvaro Leandro, ‘The Limitations of Policy Coordination in the Euro Area under the European Semester’, Bruegel, November 2015.

Or. en

Amendment 35
Matt Carthy, Miguel Viegas, Paloma López Bermejo

Draft opinion
Paragraph 5

Draft opinion

5. Points out that ***in 2014 only 10 of the 157 main recommendations made to***

Amendment

5. Points out that ***the European Semester has failed to address the challenges of***

Member States in the framework of the European Semester were fully implemented or showed substantial progress⁴ ;

ensuring macroeconomic stability or promoting sustainable growth; underlines that the current framework does not allow for a proper debate on the alternatives to an unbalanced governance framework based on arbitrary budgetary rules;

⁴ *Success rate of around 6.5%: Zsolt Darvas and Alvaro Leandro, ‘The Limitations of Policy Coordination in the Euro Area under the European Semester’, Bruegel, November 2015.*

Or. en

Amendment 36

Doru-Claudian Frunzulică, Tibor Szanyi, Renato Soru, Jonás Fernández, Ramón Jáuregui Atondo

Draft opinion Paragraph 5

Draft opinion

5. Points out that in 2014 only 10 of the 157 main recommendations made to Member States in the framework of the European Semester were fully implemented or showed substantial progress⁴ ;

Amendment

5. Points out that in 2014 only 10 of the 157 main recommendations made to Member States in the framework of the European Semester were fully implemented or showed substantial progress⁴; ***and believes that, in order to improve implementation, there is a need to better identify clearly articulated priorities at European level as well as to increase genuine public debate, political willingness and commitment at national level, leading to greater relevance and national ownership; welcomes the recommendation on the economic policy of the euro area, proposed by the Commission six months before country-specific recommendations, as a step to deepen policy coordination in the follow-up to the Five Presidents' Report and relevant resolutions of the European Parliament;***

⁴ Success rate of around 6.5%: Zsolt Darvas and Alvaro Leandro, ‘The Limitations of Policy Coordination in the Euro Area under the European Semester’, Bruegel, November 2015.

⁴ Success rate of around 6.5%: Zsolt Darvas and Alvaro Leandro, ‘The Limitations of Policy Coordination in the Euro Area under the European Semester’, Bruegel, November 2015.

Or. en

Amendment 37
Ramon Tremosa i Balcells

Draft opinion
Paragraph 5 a (new)

Draft opinion

Amendment

5a. Emphasises the fact that the European Semester recommendations to MS have a similar responsiveness rate as the unilateral OECD recommendations (29% vs 30% in 2014), even though the compliance with the latter is based just on a voluntary basis; notes that, according to data, compliance in Hungary, Poland, Slovakia and Czech Republic is systematically higher for OECD recommendations¹.

¹ *Same as last one.*

Or. en

Amendment 38
Marco Valli, Marco Zanni

Draft opinion
Paragraph 5 a (new)

Draft opinion

Amendment

5a. Condemns the differential treatment, within the framework of European economic governance, of trade deficits

and trade surpluses which, despite jeopardising the entire EU economy, have gone unpunished;

Or. it

Amendment 39
Ramon Tremosa i Balcells

Draft opinion
Paragraph 5 b (new)

Draft opinion

Amendment

5b. Highlights that for MS which are part of the Euro area or participate in the Banking Union, transposition of the BRRD is indispensable for the Single Resolution Mechanism to function, as in many cases decisions of the Single Resolution Board must be implemented based on national law transposing the BRRD¹.

¹ As stated by the Commission press release from 22.10.2015 on the referral of six countries to the ECj for failing to transpose BRRD.

Or. en

Amendment 40
Michel Reimon
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6a. Calls on the Commission for a closer monitoring of tax and customs related State aid cases as it is one of the four policy fields where most infringement

cases were opened in 2014;

Or. en

Amendment 41
Kay Swinburne

Draft opinion
Paragraph 7

Draft opinion

7. Is very concerned by the fact that the Deposit Guarantee Scheme Directive (DGSD) has still not been implemented by 10 Member States⁶, which undermines *the efforts to build a European Deposit Guarantee Scheme that would complete the Banking Union;*

⁶ Belgium, Cyprus, Estonia, Greece, Italy, Luxembourg, Poland, Romania, Slovenia and Sweden; Commission press release, 10 December 2015.

Amendment

7. Is very concerned by the fact that the Deposit Guarantee Scheme Directive (DGSD) has still not been implemented by 10 Member States⁶, which undermines *citizens' trust in the banking sector and calls therefore for timely implementation of existing Banking Union legislation and enhanced dialogue with sector experts to evaluate the impact and effectiveness of adopted legislation; Calls on the Commission to carry out a thorough assessment of the potential risks in the context of the European Deposit Insurance Scheme;*

⁶ Belgium, Cyprus, Estonia, Greece, Italy, Luxembourg, Poland, Romania, Slovenia and Sweden; Commission press release, 10 December 2015.

Or. en

Amendment 42
Matt Carthy, Miguel Viegas

Draft opinion
Paragraph 7

Draft opinion

7. Is very concerned by the fact that the Deposit Guarantee Scheme Directive

Amendment

7. Believes that it should be the role of national central banks to guarantee all

(DGSD) has still not been implemented by 10 Member States⁶, which undermines the efforts to build a European Deposit Guarantee Scheme that would complete the Banking Union;

foreign-currency deposits held by financial institutions based in their countries;

⁶ *Belgium, Cyprus, Estonia, Greece, Italy, Luxembourg, Poland, Romania, Slovenia and Sweden; Commission press release, 10 December 2015.*

Or. en

Amendment 43
Marco Valli, Marco Zanni

Draft opinion
Paragraph 7

Draft opinion

7. Is very concerned *by the fact* that the *Deposit Guarantee Scheme Directive (DGSD) has still not been implemented by 10 Member States⁶, which undermines the efforts to build a European Deposit Guarantee Scheme that would complete the Banking Union;*

Amendment

7. Is very concerned that *under the BRRD Directive, which introduces the principle of bail-in, deposits and current accounts are considered to be investments, and that without a central bank to act as an ultimate guarantor, any guarantee system or scheme will have insufficient funds to properly safeguard savers;*

(footnote deleted).

Or. it

Amendment 44
Esther de Lange

Draft opinion
Paragraph 7

Draft opinion

7. Is very concerned by the fact that the

Amendment

7. Is very concerned by the fact that the

Deposit Guarantee Scheme Directive (DGSD) has still not been implemented by 10 Member States⁶, which undermines the efforts to ***build a European Deposit Guarantee Scheme that would complete*** the Banking Union;

⁶ Belgium, Cyprus, Estonia, Greece, Italy, Luxembourg, Poland, Romania, Slovenia and Sweden; Commission press release, 10 December 2015.

Deposit Guarantee Scheme Directive (DGSD) has still not been implemented by 10 Member States⁶, which undermines the efforts to ***strengthen*** the Banking Union;

⁶ Belgium, Cyprus, Estonia, Greece, Italy, Luxembourg, Poland, Romania, Slovenia and Sweden; Commission press release, 10 December 2015.

Or. en

Amendment 45

Doru-Claudian Frunzulică, Cătălin Sorin Ivan, Tibor Szanyi, Renato Soru, Jonás Fernández, Ramón Jáuregui Atondo

Draft opinion Paragraph 7

Draft opinion

7. Is very concerned by the fact that the Deposit Guarantee Scheme Directive (DGSD) has still not been implemented by 10 Member States⁶, ***which undermines the efforts to build a European Deposit Guarantee Scheme that would complete*** the Banking Union;

⁶ ***Belgium, Cyprus, Estonia, Greece, Italy, Luxembourg, Poland, Romania, Slovenia and Sweden; Commission press release, 10 December 2015.***

Amendment

7. Is very concerned by the fact that the Deposit Guarantee Scheme Directive (DGSD) has still not been implemented by 10 Member States, ***and calls on the Commission to ensure that it is implemented; welcomes the Commission proposal on European Deposit Insurance Scheme, the third and final pillar of the Banking Union, needed to safeguard deposits throughout Europe;***

Or. en

Amendment 46 Burkhard Balz

Draft opinion
Paragraph 7

Draft opinion

7. Is very concerned by the fact that the Deposit Guarantee Scheme Directive (DGSD) has still not been implemented by 10 Member States⁶, which undermines the efforts to ***build a European Deposit Guarantee Scheme that would complete*** the Banking Union;

⁶ Belgium, Cyprus, Estonia, Greece, Italy, Luxembourg, Poland, Romania, Slovenia and Sweden; Commission press release, 10 December 2015.

Amendment

7. Is very concerned by the fact that the Deposit Guarantee Scheme Directive (DGSD) has still not been implemented by 10 Member States⁶, which undermines the efforts to ***enhance*** the Banking Union;

⁶ Belgium, Cyprus, Estonia, Greece, Italy, Luxembourg, Poland, Romania, Slovenia and Sweden; Commission press release, 10 December 2015.

Or. en

Amendment 47
Matt Carthy, Miguel Viegas

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. Notes that the creation of a European Deposit Insurance Scheme (EDIS) requires the implementation of the single rulebook as well as of the first and second pillars of the Banking Union, as well as the transposition of the BRRD and the Deposit Guarantee Schemes Directive (DGSD) by all the participating Member States. Stresses with grave concern, that these are moves towards the creation of a Financial Union, notably through a European Deposit Insurance Scheme;

Or. en

Amendment 48
Doru-Claudian Frunzulică, Tibor Szanyi, Renato Soru, Jonás Fernández, Ramón Jáuregui Atondo

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. Welcomes the European Commission's first proposals in the area of the Capital Markets Union and stresses the importance of encouraging more investments in the real economy;

Or. en

Amendment 49
Ramon Tremosa i Balcells

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. Believes that it is the lack of proper exchange of information under the Directive on administrative cooperation in the field of taxation ("DAC") what led to the malpractices that were at the root of the LuxLeaks case and other abusive tax practices in other MS.

Or. en

Amendment 50
Matt Carthy, Miguel Viegas

Draft opinion
Paragraph 7 b (new)

Draft opinion

Amendment

7b. stresses that all Legislation should respect the principle of subsidiarity;

stresses that issues of subsidiarity and proportionality must be thoroughly agreed upon and should always ensure the competency and autonomy of each Member States' is upheld;

Or. en

Amendment 51
Marco Valli, Marco Zanni

Draft opinion
Paragraph 8

Draft opinion

Amendment

8. Calls on the European Investment Bank to evaluate whether the banking systems of Member States that do not comply with the BRDD and the DGSD should be intermediaries in its actions; calls on the European Central Bank to make a similar evaluation regarding the use of emergency liquidity assistance;

deleted

Or. it

Amendment 52
Matt Carthy, Miguel Viegas

Draft opinion
Paragraph 8

Draft opinion

Amendment

8. Calls on the European Investment Bank to evaluate whether the banking systems of Member States that do not comply with the BRDD and the DGSD should be intermediaries in its actions; calls on the European Central Bank to make a similar evaluation regarding the use of emergency liquidity assistance;

deleted

Or. en

Amendment 53

Doru-Claudian Frunzulică, Tibor Szanyi, Renato Soru, Jonás Fernández, Ramón Jáuregui Atondo

Draft opinion

Paragraph 8

Draft opinion

8. Calls on the *European Investment Bank* to evaluate whether the banking systems of Member States that do not comply with the BRDD and the DGSD should be intermediaries in its actions; calls on the *European Central Bank* to make a similar evaluation regarding the use of emergency liquidity assistance;

Amendment

deleted

Or. en

Amendment 54

Fulvio Martusciello

Draft opinion

Paragraph 8

Draft opinion

8. Calls on the *European Investment Bank* to evaluate whether the banking systems of Member States that do not comply with the BRDD and the DGSD should be intermediaries in its actions; calls on the *European Central Bank* to make a similar evaluation regarding the use of emergency liquidity assistance;

Amendment

8. Calls on the *European Banking Authority* to evaluate whether the banking systems of Member States that do not comply with the BRDD and the DGSD should be intermediaries in its actions; calls on the *European Central Bank* to make a similar evaluation regarding the use of emergency liquidity assistance;

Or. en

Amendment 55

Danuta Maria Hübner

Draft opinion
Paragraph 8 a (new)

Draft opinion

Amendment

8a. Notes with disappointment that, due to the inability of ESMA and of the Commission to draft and adopt the necessary level 2 measures within the timeframe that was set, the Commission has found it necessary to propose delaying by one year the entry into force of the Markets in Financial Instruments Directive (MIFID II) and of its accompanying regulation, MIFIR, as well as to similarly delay the implementation of some provisions within the Market Abuse Regulation (MAR) and the Central Securities Depositories Regulation (CSDR);

Or. en

Amendment 56
Jonás Fernández, Ramón Jáuregui Atondo, Juan Fernando López Aguilar

Draft opinion
Paragraph 8 a (new)

Draft opinion

Amendment

8a. Calls on the Commission to open infringement proceedings against Member States which have openly refused to give effect to the obligations arising from Council Decisions (EU) 1601/2015 and (EU) 1523/2015, of 14 and 22 September respectively, which introduce a system of mandatory quotas for the reception of refugees.

Or. es

Amendment 57
Michel Reimon
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 9

Draft opinion

9. Believes that the Commission should propose more regulations and fewer directives in order to ensure a level playing field among the Member States vis-à-vis legislation;

Amendment

9. Believes that the Commission should, ***where possible and proportionate*** propose more regulations and fewer directives in order to ensure a level playing field among the Member States vis-à-vis legislation;

Or. en

Amendment 58
Matt Carthy, Miguel Viegas

Draft opinion
Paragraph 9

Draft opinion

9. Believes that the Commission should propose more regulations and fewer directives in order to ensure a level playing field among the Member States vis-à-vis legislation;

Amendment

9. Notes with concern that Regulations are "binding in their entirety" and "directly applicable" on all member states. Directives provide Member States with the autonomy to consider the most appropriate means of implementing directives into domestic law provided that the objectives of the directives are attained and provided that the directive is implemented into domestic law within the required timescale. Stresses that Member States should retain as much competence and sovereign decision making vis-à-vis legislation;

Or. en

Amendment 59
Fulvio Martusciello

Draft opinion
Paragraph 9

Draft opinion

9. **Believes** that the **Commission should propose more regulations and fewer directives in order to ensure a level playing field among the Member States vis-à-vis legislation;**

Amendment

9. **Reminds** that the **form of legal texts must correspond to objectives and aims of the proposals;**

Or. en

Amendment 60
Danuta Maria Hübner

Draft opinion
Paragraph 9

Draft opinion

9. Believes that the Commission should propose more regulations and fewer directives in order to ensure a level playing field among the Member States vis-à-vis legislation;

Amendment

9. Believes that the Commission should propose more regulations and fewer directives in order to ensure a level playing field among the Member States vis-à-vis legislation; **welcomes in this respect the decisions taken to move some provisions of the Markets in Financial Instruments Directive (MiFiD) to a regulation and to replace the Market Abuse Directive (MAD) by a regulation; also welcomes the current proposal to replace the Prospectus Directive by a regulation;**

Or. en

Amendment 61
Kay Swinburne

Draft opinion
Paragraph 9

Draft opinion

9. Believes that the Commission should **propose more** regulations **and fewer** directives **in order** to ensure a level playing

Amendment

9. Believes that the Commission should **only propose** regulations **instead of** directives **when it is essential for creating**

field among the Member States vis-à-vis legislation;

a single market and to ensure a level playing field among the Member States vis-à-vis legislation;

Or. en

Amendment 62
Burkhard Balz

Draft opinion
Paragraph 9 a (new)

Draft opinion

Amendment

9a. Believes that the Commission should deliver reports, reviews and legislative revisions on the dates agreed by co-legislators and as laid down in the relevant legislation;

Or. en

Amendment 63
Marco Valli, Marco Zanni

Draft opinion
Paragraph 9 a (new)

Draft opinion

Amendment

9a. Condemns the differential treatment, within the framework of European economic governance, of trade deficits and trade surpluses which, despite jeopardising the entire EU economy, have gone unpunished;

Or. it

Amendment 64
Marco Valli, Marco Zanni

Draft opinion
Paragraph 10

Draft opinion

10. Is of the opinion that financial penalties for non-compliance with EU law should ***include a multiplier for those Member States for which several procedures are open;***

Amendment

10. Is of the opinion that financial penalties for non-compliance with EU law should ***guarantee equality of treatment among*** Member States;

Or. it

Amendment 65
Doru-Claudian Frunzulică, Tibor Szanyi, Renato Soru, Ramón Jáuregui Atondo

Draft opinion
Paragraph 10

Draft opinion

10. Is of the opinion that financial penalties for non-compliance with EU law should ***include a multiplier for those Member States for which several procedures are open;***

Amendment

10. Is of the opinion that financial penalties for non-compliance with EU law should ***be effective, proportionate and dissuasive;***

Or. en

Amendment 66
Michel Reimon
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 10

Draft opinion

10. Is of the opinion that financial penalties for non-compliance with EU law should ***include a multiplier for those Member States for which several procedures are open;***

Amendment

10. Is of the opinion that financial penalties for non-compliance with EU law should ***become more severe for the worst cases when it comes to late transposition of directives (LTIs) which remains a persistent problem;***

Amendment 67
Kay Swinburne

Draft opinion
Paragraph 10

Draft opinion

10. Is of the opinion that financial penalties for non-compliance with EU law should ***include a multiplier*** for those Member States for which several procedures are open;

Amendment

10. Is of the opinion that financial penalties for non-compliance with EU law should ***be enforced*** for those Member States for which several procedures are open;

Or. en

Amendment 68
Matt Carthy, Miguel Viegas

Draft opinion
Paragraph 10

Draft opinion

10. Is of the opinion that financial penalties for non-compliance with EU law ***should include a multiplier for those Member States for which several procedures are open;***

Amendment

10. Is of the opinion that financial penalties for non-compliance with EU Law ***is not effective as powerful states who infringe European law are less sensitive to the costs imposed by sanctions;***

Or. en

Amendment 69
Fulvio Martusciello

Draft opinion
Paragraph 10

Draft opinion

10. Is of the opinion that financial penalties

Amendment

10. Is of the opinion that financial penalties

for non-compliance with EU law *should include a multiplier for those Member States for which several procedures are open;*

for non-compliance with EU law *can't be based on the number of the procedures open; Member States legal rights must be respected;*

Or. en

Amendment 70

Doru-Claudian Frunzulică, Tibor Szanyi, Renato Soru, Jonás Fernández, Ramón Jáuregui Atondo

Draft opinion

Paragraph 10 a (new)

Draft opinion

Amendment

10a. Considers that the number of formal infringement procedures decreased also due to the effectiveness of the structured dialogue with Member States via EU Pilot;

Or. en

Amendment 71

Doru-Claudian Frunzulică, Tibor Szanyi, Hugues Bayet, Renato Soru, Jonás Fernández, Ramón Jáuregui Atondo

Draft opinion

Paragraph 10 b (new)

Draft opinion

Amendment

10b. Welcomes the Commission's efforts to improve access to information on the application of the Union Law. Encourages further efforts to enhance transparency;

Or. en

Amendment 72

Marco Valli, Marco Zanni

**Draft opinion
Paragraph 11**

Draft opinion

11. Supports the creation of a subcommittee of the Committee on Constitutional Affairs to focus on monitoring the application of EU law in the Member States.

Amendment

deleted

Or. it

**Amendment 73
Kay Swinburne**

**Draft opinion
Paragraph 11**

Draft opinion

11. Supports the creation of a subcommittee of the Committee on Constitutional Affairs to focus on monitoring the application of EU law in the Member States.

Amendment

11. Stresses the importance of regular monitoring of the implementation of financial legislation to evaluate implementation problems, unintended consequences and elements which could be reformed, updated or removed, in line with Better Regulation principles; In this regard, calls on the Commission to report to the economic and monetary affairs committee on the state of play of implementation and application of legislation on a regular basis, which would provide a necessary forum to enhance dialogue and address specific concerns;

Or. en

**Amendment 74
Matt Carthy, Paloma López Bermejo**

**Draft opinion
Paragraph 11**

Draft opinion

11. **Supports** the creation of a subcommittee *of the Committee on Constitutional Affairs* to focus on monitoring the application of EU law in the Member States.

Amendment

11. **Highlights that** the creation of a subcommittee to focus on monitoring the application of EU law in the Member States **does not address the legislative defects within the EU Legislature process;**

Or. en

Amendment 75
Ramon Tremosa i Balcells

Draft opinion
Paragraph 11

Draft opinion

11. Supports the creation of a subcommittee *of the Committee on Constitutional Affairs to focus on monitoring the application of EU law in the Member States.*

Amendment

11. Supports the creation of a subcommittee *inside JURI to focus more especially on monitoring the application of EU law in the Member States and the causes of non-compliance in systematic cases. A structured dialogue with the Commissioner in charge of Rule of Law in the EU should also be established with the same objective.*

The creation of a JURI sub-committee would be an opportunity to find the structural flaws behind the failures to apply the EU law and for the Parliament to do an even more thorough control of its implementation; moreover, it would be possible to produce country-specific reports on those cases where a certain Member State shows a systematic non-compliance or late transposition of EU legislation.

The creation of the subcommittee would be very positive to raise awareness on the importance for the EU that Member States comply with its legislation in order to maintain credibility in front of citizens and would allow the European Parliament to hold the Commission and

Member States *fully accountable*.

Or. en

Amendment 76
Fulvio Martusciello

Draft opinion
Paragraph 11

Draft opinion

11. *Supports the creation of a subcommittee of the Committee on Constitutional Affairs to focus on monitoring the application of EU law in the Member States.*

Amendment

11. *Is of the opinion that relevant standing Committees of the European Parliament shall monitor application of the EU law within their respective fields of competencies.*

Or. en

Amendment 77
Michel Reimon
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 11

Draft opinion

11. Supports the creation of a *subcommittee of the Committee on Constitutional Affairs* to focus on monitoring the application of EU law in the Member States.

Amendment

11. Supports the creation of a *regular structured process within the European Parliament* to focus on monitoring the application of EU law in the Member States.

Or. en

Amendment 78
Ramon Tremosa i Balcells

Draft opinion
Paragraph 11 a (new)

11a. Believes that the European Commission needs to correct its democratic deficit in order to enhance its political legitimacy and fully enforce rule of law in the EU; calls the EU institutions and MS to make steps to ensure that the next President of the European Commission is directly elected by the European citizens in the 2019 European election.

Or. en