



2018/0064(COD)

19.7.2018

AMENDMENTS

20 - 125

Draft opinion
Emilian Pavel
(PE623.868v01-00)

Establishing a European Labour Authority

Proposal for a regulation
(COM(2018)0131 – C8-0118/2018 – 2018/0064(COD))

AM_Com_LegOpinion

Amendment 20
Auke Zijlstra, Harald Vilimsky

Proposal for a regulation

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Proposal for rejection

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Employment and Social Affairs, as the committee responsible, to propose rejection of the Commission proposal.

Or. en

Amendment 21
Kostas Chrysogonos

Proposal for a regulation
Citation 2 a (new)

Text proposed by the Commission

Amendment

Having regard to the European Pillar of Social Rights,

Or. en

Amendment 22
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Recital 1

Text proposed by the Commission

Amendment

(1) The free movement of workers, freedom of establishment and freedom to provide services are fundamental principles of the internal market of the Union, enshrined in the Treaty on the Functioning of the European Union (TFEU).

(1) The free movement of workers, freedom of establishment and freedom to provide services are fundamental principles of the internal market of the Union, enshrined in the Treaty on the Functioning of the European Union (TFEU). ***Free movement rights are, however, not***

absolute and an abusive reliance on these rights should be prevented.

Or. en

Amendment 23
Kostas Chrysogonos

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) The free movement of workers, freedom of establishment and freedom to provide services are fundamental principles of the internal market of the Union, enshrined in the Treaty on the Functioning of the European Union (TFEU).

Amendment

(1) ***The protection of social and labour rights***, the free movement of workers, freedom of establishment and freedom to provide services are fundamental principles of the internal market of the Union, enshrined in the Treaty on the Functioning of the European Union (TFEU).

Or. en

Amendment 24
Kostas Chrysogonos

Proposal for a regulation
Recital 2

Text proposed by the Commission

(2) Pursuant to Article 3 TEU, the Union is to work for a highly competitive social market economy, aiming at full employment and social progress and promote social justice and protection. In accordance with Article 9 TFEU, the Union, in defining and implementing its policies and activities, is to take into account requirements linked to, inter alia, the promotion of a high level of employment, the guarantee of an adequate social protection, the fight against social

Amendment

(2) Pursuant to Article 3 TEU, the Union is to work for a highly competitive social market economy, aiming at full employment and social progress, ***promote social justice and protection, combat social exclusion and discrimination***, and promote social justice and protection, ***equality between women and men, solidarity between generations and protection of the rights of the child, as well as promote economic, social and territorial cohesion, and solidarity among***

exclusion, and the promotion of a high level of education, training and the protection of human health.

Member States. In accordance with Article 9 TFEU, the Union, in defining and implementing its policies and activities, is to take into account requirements linked to, inter alia, the promotion of a high level of employment, the guarantee of an adequate social protection, the fight against social exclusion, and the promotion of a high level of education, training and the protection of human health.

Or. en

Amendment 25
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Recital 2

Text proposed by the Commission

(2) Pursuant to Article 3 TEU, the Union is to work for a highly competitive social market economy, aiming at full employment and social progress and promote social justice and protection. In accordance with Article 9 TFEU, the Union, in defining and implementing its policies and activities, is to take into account requirements linked to, inter alia, the promotion of a high level of employment, the guarantee of an adequate social protection, the fight against social exclusion, and the promotion of a high level of education, training and the protection of human health.

Amendment

(2) Pursuant to Article 3 TEU, the Union is to work for a highly competitive social market economy, aiming at full employment and social progress and promote social justice and protection. In accordance with Article 9 TFEU, the Union, in defining and implementing its policies and activities, is to take into account requirements linked to, inter alia, the promotion of a high level of employment, the guarantee of an adequate social protection, the fight against social exclusion, and the promotion of a high level of education, training and the protection of human health. ***Pursuant to Article 5 TEU the limits of Union competences are governed by the principle of conferral. The use of Union competences is governed by the principles of subsidiarity and proportionality.***

Or. en

Amendment 26
Csaba Sógor

Proposal for a regulation
Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) The Charter of Fundamental Rights of the European Union sets out the free movement of persons and workers in Articles 15 and 45, non-discrimination in Article 21, the right of access to placement services in Article 29, the freedom to provide services in Article 16 and fair and just working conditions, social security and healthcare in Articles 31, 34 and 35.

Or. en

Amendment 27
Csaba Sógor

Proposal for a regulation
Recital 2 b (new)

Text proposed by the Commission

Amendment

(2b) Concerns remain regarding existing barriers to freedom of movement, access to employment, access to social security, and discrimination based on nationality on the Internal Market;

Or. en

Amendment 28
Csaba Sógor

Proposal for a regulation
Recital 2 c (new)

Text proposed by the Commission

Amendment

(2c) In its Special Report on the Free Movement of Workers^{1a}, the European Court of Auditors included recommendations to the Commission to improve awareness about the tools relating to information provision on the freedom of movement of workers and reporting discrimination as well as to make better use of available information in order to identify types of discrimination.

^{1a} Special Report No 6/2018 “Free Movement of Workers – the fundamental freedom ensured but better targeting of EU funds would aid worker mobility”
<https://www.eca.europa.eu/en/Pages/DocItem.aspx?did=44964>

Or. en

Amendment 29
Csaba Sógor

Proposal for a regulation
Recital 2 d (new)

Text proposed by the Commission

Amendment

(2d) Severe labour exploitation occurs in many economic sectors in the EU and affects diverse groups of cross-border workers, both EU and non-EU citizens. As recommended by the European Union Agency for Fundamental Rights^{1a}, such practices should be addressed among others through a comprehensive system of targeted inspections of working conditions;

^{1a} FRA Report: Severe labour exploitation: workers moving within or into the European Union
<http://fra.europa.eu/en/publication/2015/s>

Amendment 30
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) The European Pillar of Social Rights was jointly proclaimed by the European Parliament, the Council and the Commission at the Social Summit in Gothenburg on 17 November 2017. That Social Summit recalled the need to put people first, in order to further develop the social dimension of the Union, and to promote convergence through efforts at all levels, as confirmed during the conclusions of the European Council of 14 December 2017.

Amendment

(3) The European Pillar of Social Rights was jointly proclaimed by the European Parliament, the Council and the Commission at the Social Summit in Gothenburg on 17 November 2017. That Social Summit recalled the need to put people first, in order to further develop the social dimension of the Union, and to promote convergence through efforts at all levels, as confirmed during the conclusions of the European Council of 14 December 2017. ***The Social Pillar is of a political nature, and does not confer new competences on the European Union.***

Amendment 31
Kostas Chrysogonos

Proposal for a regulation
Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) The European Pillar of Social Rights highlights that everyone has the right to timely and tailor-made assistance to improve employment or self-employment prospects. Stresses that everyone has the right to transfer

social protection and training entitlements during professional transitions. Underlines that young people have the right to continued education, apprenticeship, traineeship or a job offer of good standing. Underlines that people unemployed have the right to personalised, continuous and consistent support.

Or. en

Amendment 32

Jean Lambert

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) As outlined in their Joint Declaration on the legislative priorities for 2018-2019, the European Parliament, the Council and the Commission are committed to taking action to reinforce the social dimension of the Union, by working on improving the coordination of social security systems³⁶, by protecting workers from health risks in the workplace³⁷, by ensuring fair treatment for all in the Union labour market through modernised rules on posting of workers³⁸, and by further improving cross-border enforcement of the Union law.

³⁶ Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 883/2004 on the coordination of social security systems and regulation (EC) No 987/2009 laying down the procedure for implementing Regulation (EC) No 883/2004 (COM (2016) 815 final).

³⁷ Proposal for a Directive of the European

Amendment

(4) As outlined in their Joint Declaration on the legislative priorities for 2018-2019, the European Parliament, the Council and the Commission are committed to taking action to reinforce the social dimension of the Union, by working on improving the coordination of social security systems³⁶, by protecting **all** workers from health risks in the workplace³⁷, by ensuring fair treatment for all in the Union labour market through modernised rules on posting of workers³⁸, and by further improving cross-border enforcement of the Union law.

³⁶ Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 883/2004 on the coordination of social security systems and regulation (EC) No 987/2009 laying down the procedure for implementing Regulation (EC) No 883/2004 (COM (2016) 815 final).

³⁷ Proposal for a Directive of the European

Parliament and of the Council amending Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (COM(2017) 11 final).

³⁸ Proposal for a Directive of the European Parliament and of the Council amending Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (COM (2016) 128 final).

Parliament and of the Council amending Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (COM(2017) 11 final).

³⁸ Proposal for a Directive of the European Parliament and of the Council amending Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (COM (2016) 128 final).

Or. en

Amendment 33 **Helga Stevens**

Proposal for a regulation **Recital 5**

Text proposed by the Commission

(5) A European Labour Authority (the ‘Authority’) should be ***established in order to help strengthen*** fairness and trust in the Single Market. To that effect, the Authority ***should*** support the Member States and the Commission in strengthening access to information for individuals and employers about their rights and obligations in cross-border labour mobility situations as well as access to relevant services, support compliance and cooperation between the Member States to ensure the effective application of the Union law in these areas, and mediate and facilitate a solution in case of cross-border disputes ***or labour market disruptions***.

Amendment

(5) ***The establishment of*** a European Labour Authority (the ‘Authority’) should be ***considered if it proves to have a European added value in strengthening*** fairness and trust in the Single Market. To that effect, the Authority ***could*** support the Member States and the Commission in strengthening access to information for individuals and employers about their rights and obligations in cross-border labour mobility situations as well as access to relevant services, support compliance and cooperation between the Member States to ensure the effective application of the Union law in these areas, and mediate and facilitate a solution in case of cross-border disputes, ***while fully respecting the competences of the European Court of Justice and without prejudice to the rights of Member States and the persons concerned to have recourse to the procedures and tribunals provided for by the legislation of the Member States or the***

Treaty.

Or. en

Amendment 34
Csaba Sógor

Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) A European Labour Authority (the ‘Authority’) should be established in order to help strengthen fairness and trust in the Single Market. To that effect, the Authority should support the Member States and the Commission in strengthening access to information for individuals and employers about their rights and obligations in cross-border labour mobility situations as well as access to relevant services, support compliance and cooperation between the Member States to ensure the effective application of the Union law in these areas, and mediate and facilitate a solution in case of cross-border disputes or labour market disruptions.

Amendment

(5) A European Labour Authority (the ‘Authority’) should be established in order to help ***facilitate cross-border labour mobility***, strengthen fairness and trust in the Single Market ***and ensure equal access to employment and social security for mobile citizens***. To that effect, the Authority should support the Member States and the Commission in strengthening access to information for individuals and employers about their rights and obligations in cross-border labour mobility situations as well as access to relevant services, support compliance and cooperation between the Member States to ensure the effective application of the Union law in these areas, and mediate and facilitate a solution in case of cross-border disputes or labour market disruptions.

Or. en

Amendment 35
Kostas Chrysogonos

Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) A European Labour Authority (the

Amendment

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‘Authority’) should be established in order to help strengthen fairness and trust in the Single Market. To that effect, the Authority should support the Member States and the Commission in strengthening access to information for individuals and employers about their rights and obligations in cross-border labour mobility situations as well as access to relevant services, support compliance and cooperation between the Member States to ensure the effective application of the Union law in these areas, and mediate and facilitate a solution in case of cross-border disputes or labour market disruptions.

‘Authority’) should be established in order to help strengthen fairness and trust in the Single Market, *as well as to enhance the protection of labour rights and to assist tackling unemployment*. To that effect, the Authority should support the Member States and the Commission in strengthening access to information for individuals and employers about their rights and obligations in cross-border labour mobility situations as well as access to relevant services, support compliance and cooperation between the Member States to ensure the effective application of the Union law in these areas, and mediate and facilitate a solution in case of cross-border disputes or labour market disruptions.

Or. en

Amendment 36 **Maria Grapini**

Proposal for a regulation **Recital 5**

Text proposed by the Commission

(5) A European Labour Authority (the ‘Authority’) should be established in order to help strengthen fairness and trust in the Single Market. To that effect, the Authority should support the Member States and the Commission in strengthening access to information for individuals and employers about their rights and obligations in cross-border labour mobility situations as well as access to relevant services, support compliance and cooperation between the Member States to ensure the effective application of the Union law in these areas, and mediate and facilitate a solution in case of cross-border disputes or labour market disruptions.

Amendment

(5) A European Labour Authority (the ‘Authority’) should be established in order to help strengthen fairness and trust in the Single Market *while respecting the principles of proportionality and subsidiarity*. To that effect, the Authority should support the Member States and the Commission in strengthening access to information for individuals and employers about their rights and obligations in cross-border labour mobility situations as well as access to relevant services, support compliance and cooperation between the Member States to ensure the effective application of the Union law in these areas, and mediate and facilitate a solution in case of cross-border disputes or labour market

disruptions.

Or. ro

Amendment 37

Jean Lambert

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) A European Labour Authority (the ‘Authority’) should be established in order to help strengthen *fairness* and trust in the Single Market. To that effect, the Authority should support the Member States and the Commission in strengthening access to information for individuals and employers about their rights and obligations in cross-border labour mobility situations as well as access to relevant services, support compliance and cooperation between the Member States to ensure the effective application of the Union law in these areas, and mediate and facilitate a solution in case of cross-border disputes or labour market disruptions.

Amendment

(5) A European Labour Authority (the ‘Authority’) should be established in order to help strengthen *social justice* and trust in the Single Market. To that effect, the Authority should support the Member States and the Commission in strengthening access to information for individuals and employers about their rights and obligations in cross-border labour mobility situations as well as access to relevant services, support compliance and cooperation between the Member States to ensure the effective application of the Union law in these areas, and mediate and facilitate a solution in case of cross-border disputes or labour market disruptions.

Or. en

Amendment 38

Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) The Authority should perform its activities in the areas of cross-border labour mobility and social security

Amendment

(6) The Authority should perform its activities in the areas of cross-border labour mobility and social security

coordination, including free movement of workers, posting of workers and highly mobile services. It should also enhance cooperation between Member States in tackling undeclared work. In cases where the Authority, in the course of the performance of its activities, becomes aware of suspected irregularities, ***including in areas of Union law beyond its scope, such as violations of working conditions, health and safety rules, or the employment of illegally staying third-country nationals***, it should be able to report them and cooperate on these matters with the Commission, competent Union bodies, and national authorities where appropriate.

coordination, including free movement of workers, posting of workers and highly mobile services. It should also enhance cooperation between Member States in tackling undeclared work. In cases where the Authority, in the course of the performance of its activities, becomes aware of suspected irregularities, it should be able to report them and cooperate on these matters with the Commission, competent Union bodies, and national authorities where appropriate.

Or. en

Amendment 39

Jean Lambert

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) The Authority should perform its activities in the areas of cross-border labour mobility and social security coordination, including free movement of workers, posting of workers and highly mobile services. It should also enhance cooperation between Member States in tackling undeclared work. In cases where the Authority, in the course of the performance of its activities, becomes aware of suspected irregularities, including in areas of Union law beyond its scope, such as violations of working conditions, health and safety rules, ***or the employment of illegally staying third-country nationals***, it should be able to report them and cooperate on these matters with the

Amendment

(6) The Authority should perform its activities in the areas of cross-border labour mobility and social security coordination, including free movement of workers, posting of workers and highly mobile services ***and to social rights and benefits***. It should also enhance cooperation between Member States in tackling undeclared work. In cases where the Authority, in the course of the performance of its activities, becomes aware of suspected irregularities, including in areas of Union law beyond its scope, such as violations of working conditions, health and safety rules, ***undeclared work, or restrictions on workers' or their families' rights and benefits***, it should be

Commission, competent Union bodies, and national authorities where appropriate.

able to report them and cooperate on these matters with the Commission, competent Union bodies, and national authorities where appropriate.

Or. en

Amendment 40
Kostas Chrysogonos

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) The Authority should perform its activities in the areas of cross-border labour mobility and social security coordination, including free movement of workers, posting of workers and highly mobile services. It should also enhance cooperation between Member States in tackling undeclared work. In cases where the Authority, in the course of the performance of its activities, becomes aware of suspected irregularities, including in areas of Union law beyond its scope, such as violations of working conditions, health and safety rules, or the employment of illegally staying third-country nationals, it should be able to report them and cooperate on these matters with the Commission, competent Union bodies, and national authorities where appropriate.

Amendment

(6) The Authority should perform its activities in the areas of cross-border labour mobility and social security coordination, including free movement of workers, posting of workers and highly mobile services. It should also enhance cooperation between Member States in tackling undeclared work. In cases where the Authority, in the course of the performance of its activities, becomes aware of suspected irregularities, including in areas of Union law beyond its scope, such as violations of working conditions, health and safety rules, or the employment of illegally staying third-country nationals, it should be able to report them and cooperate *efficiently and without delay* on these matters with the Commission, competent Union bodies, and national authorities where appropriate.

Or. en

Amendment 41
Csaba Sógor

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) The Authority should perform its activities in the areas of cross-border labour mobility and social security coordination, including free movement of workers, posting of workers and highly mobile services. It should also enhance cooperation between Member States in tackling undeclared work. In cases where the Authority, in the course of the performance of its activities, becomes aware of suspected irregularities, including in areas of Union law beyond its scope, such as violations of working conditions, health and safety rules, or the employment of illegally staying third-country nationals, it should be able to report them and cooperate on these matters with the Commission, competent Union bodies, and national authorities where appropriate.

Amendment

(6) The Authority should perform its activities in the areas of cross-border labour mobility and social security coordination, including free movement of workers, posting of workers and highly mobile services. It should also enhance cooperation between Member States in tackling undeclared work. In cases where the Authority, in the course of the performance of its activities, becomes aware of suspected irregularities, including in areas of Union law beyond its scope, such as violations of working conditions, health and safety rules, ***severe labour exploitation*** or the employment of illegally staying third-country nationals, it should be able to report them and cooperate on these matters with the Commission, competent Union bodies, and national authorities where appropriate.

Or. en

Amendment 42
Helga Stevens

Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) The Authority should contribute to facilitating the free movement of workers governed by Regulation (EU) No 492/2011 of the European Parliament and of the Council³⁹, Directive 2014/54/EU of the European Parliament and the Council⁴⁰ and Regulation (EU) 2016/589 of the European Parliament and the Council⁴¹. It should facilitate the posting of workers governed by Directive 96/71/EC of the European Parliament and the Council⁴² and Directive 2014/67/EU of the European Parliament and the Council⁴³, including by supporting

Amendment

(7) The Authority should contribute to ***ensuring fair labour mobility*** while facilitating the free movement of workers governed by Regulation (EU) No 492/2011 of the European Parliament and of the Council³⁹, Directive 2014/54/EU of the European Parliament and the Council⁴⁰ and Regulation (EU) 2016/589 of the European Parliament and the Council⁴¹. It should facilitate the ***enforcement of the rules on*** posting of workers governed by Directive 96/71/EC of the European Parliament and the Council⁴² and Directive

the enforcement of those provisions implemented through universally applicable collective agreements in line with the practices of Member States. It should also help the coordination of social security systems governed by Regulation (EC) No 883/2004 of the European Parliament and the Council⁴⁴, Regulation (EC) No 987/2009 of the European Parliament and the Council⁴⁵, Regulation (EU) No 1231/2010 of the European Parliament and the Council⁴⁶; as well as Council Regulation (EC) No 1408/71⁴⁷ and Council Regulation (EC) No 574/72⁴⁸.

2014/67/EU of the European Parliament and the Council⁴³, including by supporting the enforcement of those provisions implemented through universally applicable collective agreements in line with the practices of Member States. It should also help the coordination of social security systems governed by Regulation (EC) No 883/2004 of the European Parliament and the Council⁴⁴, Regulation (EC) No 987/2009 of the European Parliament and the Council⁴⁵, Regulation (EU) No 1231/2010 of the European Parliament and the Council⁴⁶; as well as Council Regulation (EC) No 1408/71⁴⁷ and Council Regulation (EC) No 574/72⁴⁸.

³⁹ Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union (OJ L 141, 27.5.2011, p. 1).

⁴⁰ Directive 2014/54/EU of the European Parliament and the Council of 16 April 2014 on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers (OJ L 128, 30.4.2014, p. 8).

⁴¹ Regulation (EU) 2016/589 of the European Parliament and the Council of 13 April 2016 on a European network of employment services (EURES), workers' access to mobility services and the further integration of labour markets, and amending Regulations (EU) No 492/2011 and (EU) No 1296/2013 (OJ L 107, 22.04.2016, p. 1).

⁴² Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJ L 18, 21.1.1997, p. 1).

⁴³ Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive

³⁹ Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union (OJ L 141, 27.5.2011, p. 1).

⁴⁰ Directive 2014/54/EU of the European Parliament and the Council of 16 April 2014 on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers (OJ L 128, 30.4.2014, p. 8).

⁴¹ Regulation (EU) 2016/589 of the European Parliament and the Council of 13 April 2016 on a European network of employment services (EURES), workers' access to mobility services and the further integration of labour markets, and amending Regulations (EU) No 492/2011 and (EU) No 1296/2013 (OJ L 107, 22.04.2016, p. 1).

⁴² Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJ L 18, 21.1.1997, p. 1).

⁴³ Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive

96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation') (OJ L 159, 28.05.2014, p. 11).

⁴⁴ Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems, (OJ L 166, 30.4.2004, p.1, corrigendum OJ L 200, 7.6.2004, p. 1).

⁴⁵ Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems, (OJ L 284, 30.10.2009, p. 1).

⁴⁶ Regulation (EU) No 1231/2010 of the European Parliament and of the Council of 24 November 2010 extending Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 to nationals of third countries who are not already covered by these Regulations solely on the ground of their nationality (OJ L 344, 29.12.2010, p. 1).

⁴⁷ Council Regulation (EC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community (OJ L 149, 5.7.1971 p. 2).

⁴⁸ Council Regulation (EC) No 574/72 of 21 March 1972 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons, and to their families moving within the Community (OJ L 74, 27.3.1972, p. 1).

96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation') (OJ L 159, 28.05.2014, p. 11).

⁴⁴ Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems, (OJ L 166, 30.4.2004, p.1, corrigendum OJ L 200, 7.6.2004, p. 1).

⁴⁵ Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems, (OJ L 284, 30.10.2009, p. 1).

⁴⁶ Regulation (EU) No 1231/2010 of the European Parliament and of the Council of 24 November 2010 extending Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 to nationals of third countries who are not already covered by these Regulations solely on the ground of their nationality (OJ L 344, 29.12.2010, p. 1).

⁴⁷ Council Regulation (EC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community (OJ L 149, 5.7.1971 p. 2).

⁴⁸ Council Regulation (EC) No 574/72 of 21 March 1972 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons, and to their families moving within the Community (OJ L 74, 27.3.1972, p. 1).

Or. en

Amendment 43
Kostas Chrysogonos

Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) The Authority should contribute to facilitating the free movement of workers governed by Regulation (EU) No 492/2011 of the European Parliament and of the Council³⁹, Directive 2014/54/EU of the European Parliament and the Council⁴⁰ and Regulation (EU) 2016/589 of the European Parliament and the Council⁴¹. It should facilitate the posting of workers governed by Directive 96/71/EC of the European Parliament and the Council⁴² and Directive 2014/67/EU of the European Parliament and the Council⁴³, including by supporting the enforcement of those provisions implemented through universally applicable collective agreements in line with the practices of Member States. It should also help the coordination of social security systems governed by Regulation (EC) No 883/2004 of the European Parliament and the Council⁴⁴, Regulation (EC) No 987/2009 of the European Parliament and the Council⁴⁵, Regulation (EU) No 1231/2010 of the European Parliament and the Council⁴⁶; as well as Council Regulation (EC) No 1408/71⁴⁷ and Council Regulation (EC) No 574/72⁴⁸.

³⁹ Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union (OJ L 141, 27.5.2011, p. 1).

⁴⁰ Directive 2014/54/EU of the European Parliament and the Council of 16 April 2014 on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for

Amendment

(7) The Authority should contribute to facilitating the free movement of workers governed by Regulation (EU) No 492/2011 of the European Parliament and of the Council³⁹, Directive 2014/54/EU of the European Parliament and the Council⁴⁰ and Regulation (EU) 2016/589 of the European Parliament and the Council⁴¹. It should facilitate the posting of workers governed by Directive 96/71/EC of the European Parliament and the Council⁴² and Directive 2014/67/EU of the European Parliament and the Council⁴³, including by supporting the enforcement of those provisions implemented through universally applicable collective agreements in line with the practices of Member States. It should also help the *efficient* coordination of social security systems governed by Regulation (EC) No 883/2004 of the European Parliament and the Council⁴⁴, Regulation (EC) No 987/2009 of the European Parliament and the Council⁴⁵, Regulation (EU) No 1231/2010 of the European Parliament and the Council⁴⁶; as well as Council Regulation (EC) No 1408/71⁴⁷ and Council Regulation (EC) No 574/72⁴⁸.

³⁹ Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union (OJ L 141, 27.5.2011, p. 1).

⁴⁰ Directive 2014/54/EU of the European Parliament and the Council of 16 April 2014 on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for

workers (OJ L 128, 30.4.2014, p. 8).

⁴¹ Regulation (EU) 2016/589 of the European Parliament and the Council of 13 April 2016 on a European network of employment services (EURES), workers' access to mobility services and the further integration of labour markets, and amending Regulations (EU) No 492/2011 and (EU) No 1296/2013 (OJ L 107, 22.04.2016, p. 1).

⁴² Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJ L 18, 21.1.1997, p. 1).

⁴³ Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation') (OJ L 159, 28.05.2014, p. 11).

⁴⁴ Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems, (OJ L 166, 30.4.2004, p.1, corrigendum OJ L 200, 7.6.2004, p. 1).

⁴⁵ Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems, (OJ L 284, 30.10.2009, p. 1).

⁴⁶ Regulation (EU) No 1231/2010 of the European Parliament and of the Council of 24 November 2010 extending Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 to nationals of third countries who are not already covered by these Regulations solely on the ground of their nationality (OJ L 344, 29.12.2010, p. 1).

workers (OJ L 128, 30.4.2014, p. 8).

⁴¹ Regulation (EU) 2016/589 of the European Parliament and the Council of 13 April 2016 on a European network of employment services (EURES), workers' access to mobility services and the further integration of labour markets, and amending Regulations (EU) No 492/2011 and (EU) No 1296/2013 (OJ L 107, 22.04.2016, p. 1).

⁴² Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJ L 18, 21.1.1997, p. 1).

⁴³ Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation') (OJ L 159, 28.05.2014, p. 11).

⁴⁴ Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems, (OJ L 166, 30.4.2004, p.1, corrigendum OJ L 200, 7.6.2004, p. 1).

⁴⁵ Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems, (OJ L 284, 30.10.2009, p. 1).

⁴⁶ Regulation (EU) No 1231/2010 of the European Parliament and of the Council of 24 November 2010 extending Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 to nationals of third countries who are not already covered by these Regulations solely on the ground of their nationality (OJ L 344, 29.12.2010, p. 1).

⁴⁷ Council Regulation (EC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community (OJ L 149, 5.7.1971 p. 2).

⁴⁸ Council Regulation (EC) No 574/72 of 21 March 1972 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons, and to their families moving within the Community (OJ L 74, 27.3.1972, p. 1).

⁴⁷ Council Regulation (EC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community (OJ L 149, 5.7.1971 p. 2).

⁴⁸ Council Regulation (EC) No 574/72 of 21 March 1972 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons, and to their families moving within the Community (OJ L 74, 27.3.1972, p. 1).

Or. en

Amendment 44
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) Labour mobility creates economic benefits for the EU as a whole. However, public support for the internal market is eroding due to persisting abusive and unfair practices such as letterbox companies, illegal postings and social fraud. The enforcement of existing rules has been moving forward slowly, and cooperation and exchange of information between Member States are currently inadequate. The enforcement of existing European rules needs to be improved, however, without creating additional administrative burdens. Bureaucracy and multiplication of EU bodies should be avoided. Therefore, improving existing EU-level structures should be given preference over creating a new EU body. The EU should always strive for the most efficient and cost-effective way in achieving its aims, while fully respecting

Amendment 45

Jean Lambert

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) The individuals covered by the activities of the Authority should be persons who are subject to the Union law within the scope of this Regulation, including workers, self-employed persons, jobseekers, and economically non-active persons; this should cover both Union citizens and third-country nationals *who are legally resident in the Union, such as posted workers, EU Blue Card holders, intra-corporate transferees or long-term residents, as well as their family members.*

Amendment

(9) The individuals covered by the activities of the Authority should be persons who are subject to the Union law within the scope of this Regulation, including workers, self-employed persons, jobseekers, and economically non-active persons; this should cover both Union citizens and third-country nationals *irrespective of their residence status.*

Amendment 46

Csaba Sógor

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) The individuals covered by the activities of the Authority should be persons who are subject to the Union law within the scope of this Regulation, including workers, self-employed persons, jobseekers, and economically non-active persons; this should cover both Union citizens and third-country nationals who

Amendment

(9) The individuals covered by the activities of the Authority should be persons who are subject to the Union law within the scope of this Regulation, including workers, self-employed persons, jobseekers, and economically non-active persons *in cross-border situations*; this should cover both Union citizens and third-

are legally resident in the Union, such as posted workers, EU Blue Card holders, intra-corporate transferees or long-term residents, as well as their family members.

country nationals who are legally resident in the Union, such as posted workers, EU Blue Card holders, intra-corporate transferees or long-term residents, as well as their family members ***and who are mobile within the EU.***

Or. en

Amendment 47
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) The individuals covered by the activities of the Authority should be persons who are subject to the Union law within the scope of this Regulation, including workers, self-employed persons, jobseekers, and economically non-active persons; this should cover both Union citizens and third-country nationals who are legally resident in the Union, such as posted workers, EU Blue Card holders, intra-corporate transferees or long-term residents, as well as their family members.

Amendment

(9) The individuals covered by the activities of the Authority should be persons who are subject to the Union law within the scope of this Regulation, including workers, self-employed persons, jobseekers, and economically non-active persons; this should cover both Union citizens and third-country nationals who are legally resident in the Union, such as posted workers, EU Blue Card holders, intra-corporate transferees or long-term residents, as well as their family members ***upon the condition that they are mobile in the EU.***

Or. en

Amendment 48
Jean Lambert
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 10

Text proposed by the Commission

(10) The establishment of the Authority

Amendment

(10) The establishment of the Authority

should not create new rights and obligations for individuals or employers, including economic operators or non-profit organisations, as the activities of the Authority should cover them to the extent to which they are covered by the Union law within the scope of this Regulation.

should not create new rights and obligations for individuals or employers, including economic operators or non-profit organisations, as the activities of the Authority should cover them to the extent to which they are covered by the Union law within the scope of this Regulation. ***At the same time, it should serve to respect and implement existing rights and obligations in line with EU law and international labour standards.***

Or. en

Amendment 49
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Recital 10

Text proposed by the Commission

(10) The establishment of the Authority should not create new rights and obligations for individuals or employers, including economic operators or non-profit organisations, as the activities of the Authority should cover them to the extent to which they are covered by the Union law within the scope of this Regulation.

Amendment

(10) The establishment of the Authority should not create new rights and obligations for individuals or employers, including economic operators or non-profit organisations, as the activities of the Authority should cover them to the extent to which they are covered by the Union law within the scope of this Regulation. ***The Authority does not have any regulatory power or interpretation capacity, and respects the division of powers as enshrined in the Treaty.***

Or. en

Amendment 50
Jean Lambert
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) To ensure they can benefit from a **fair** and effective internal market, the Authority should promote opportunities for individuals and employers to be mobile or provide services and recruit anywhere within the Union. This includes supporting the cross-border mobility of individuals by facilitating access to cross-border mobility services, such as the cross-border matching of jobs, traineeships and apprenticeships and by promoting mobility schemes such as 'Your first EURES job' or 'ErasmusPRO'. The Authority should also contribute to improving transparency of information, including on rights and obligations stemming from Union law, and access to services to individuals and employers, in cooperation with other Union information services, such as Your Europe Advice, and taking full advantage and ensuring consistency with the Your Europe portal, which will form the backbone of the future single digital gateway⁵³.

⁵³ Regulation [Single Digital Gateway – COM(2017)256]

Amendment

(11) To ensure they can benefit from a **socially just** and effective internal market, the Authority should promote opportunities for individuals and employers to be mobile or provide services and recruit anywhere within the Union. This includes supporting the cross-border mobility of individuals by facilitating access to cross-border mobility services, such as the cross-border matching of jobs, traineeships and apprenticeships and by promoting mobility schemes such as 'Your first EURES job' or 'ErasmusPRO' **as well as ensuring access to all other relevant services in the Member State of residence or stay, including access to justice and safe police reporting, healthcare and education, including recognition of qualifications.** The Authority should also contribute to improving transparency of information, including on rights and obligations stemming from Union law, and access to services to individuals and employers, in cooperation with other Union information services, such as Your Europe Advice, and taking full advantage and ensuring consistency with the Your Europe portal, which will form the backbone of the future single digital gateway⁵³.

⁵³ Regulation [Single Digital Gateway – COM(2017)256]

Or. en

Amendment 51
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Recital 11

Text proposed by the Commission

Amendment

(11) To ensure they can benefit from a fair and effective internal market, the Authority should promote opportunities for individuals and employers to be mobile or provide services and recruit anywhere within the Union. This includes supporting *the* cross-border mobility of individuals by facilitating access to cross-border mobility services, such as the cross-border matching of jobs, traineeships and apprenticeships and by promoting mobility schemes such as 'Your first EURES job' or 'ErasmusPRO'. The Authority should also contribute to improving transparency of information, including on rights and obligations stemming from Union law, and access to services to individuals and employers, in cooperation with other Union information services, such as Your Europe Advice, and taking full advantage and ensuring consistency with the Your Europe portal, which will form the backbone of the future single digital gateway⁵³.

⁵³ Regulation [Single Digital Gateway – COM(2017)256]

(11) To ensure they can benefit from a fair and effective internal market, the Authority should promote opportunities for individuals and employers to be mobile or provide services and recruit anywhere within the Union. This includes supporting *fair* cross-border mobility of individuals by facilitating access to cross-border mobility services, such as the cross-border matching of jobs, traineeships and apprenticeships and by promoting mobility schemes such as 'Your first EURES job' or 'ErasmusPRO'. The Authority should also contribute to improving transparency of information, including on rights and obligations stemming from Union law, and access to services to individuals and employers, in cooperation with other Union information services, such as Your Europe Advice, and taking full advantage and ensuring consistency with the Your Europe portal, which will form the backbone of the future single digital gateway⁵³.

⁵³ Regulation [Single Digital Gateway – COM(2017)256]

Or. en

Amendment 52
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) For these purposes, the Authority should cooperate with other relevant Union initiatives and networks, in particular the European Network of Public Employment Services (PES)⁵⁴, the European Enterprise Network⁵⁵, the Border Focal Point⁵⁶ and SOLVIT⁵⁷, as well as with relevant

Amendment

(12) For these purposes, the Authority should cooperate with other relevant Union initiatives and networks, in particular the European Network of Public Employment Services (PES)⁵⁴, the European Enterprise Network⁵⁵, the Border Focal Point⁵⁶ and SOLVIT⁵⁷, as well as with relevant

national services such as the bodies to promote equal treatment and to support Union workers and members of their family, designated by Member States under Directive 2014/54/EU, and national contact points designated under Directive 2011/24/EU of the European Parliament and of the Council⁵⁸ to provide information on healthcare. The Authority should also explore synergies with the proposed European services e-card⁵⁹, notably with regard to those cases in which Member States opt for the submission of declarations regarding posted workers through the e-card platform. The Authority should replace the Commission in managing the European network of employment services ('EURES') European Coordination Office established pursuant to Regulation (EU) No 2016/589, including the definition of user needs and business requirements for the effectiveness of the EURES portal and related IT services, but excluding the IT provision, and the operation and development of the IT infrastructure, which will continue to be ensured by the Commission.

⁵⁴ Decision No 573/2014/EU of the European Parliament and of the Council of 15 May 2014 on enhanced cooperation between Public Employment Services (PES) (OJ L 159, 28.5.2014, p. 32).

⁵⁵ European Enterprise Network, <https://een.ec.europa.eu/>

⁵⁶ Communication from the Commission to the Council and the European Parliament, Boosting growth and cohesion in EU border regions, COM(2017) 534.

⁵⁷ Commission Recommendation of 17 September 2013 on the principles governing SOLVIT (OJ L 249, 19.9.2011, p. 10).

national services such as the bodies to promote equal treatment and to support Union workers and members of their family, designated by Member States under Directive 2014/54/EU, and national contact points designated under Directive 2011/24/EU of the European Parliament and of the Council⁵⁸ to provide information on healthcare. The Authority should also explore synergies with the proposed European services e-card⁵⁹, notably with regard to those cases in which Member States opt for the submission of declarations regarding posted workers through the e-card platform. The Authority should replace the Commission in managing the European network of employment services ('EURES') European Coordination Office established pursuant to Regulation (EU) No 2016/589, including the definition of user needs and business requirements for the effectiveness of the EURES portal and related IT services, but excluding the IT provision, and the operation and development of the IT infrastructure, which will continue to be ensured by the Commission. ***Overlaps in competences between the Authority and EURES should be avoided.***

⁵⁴ Decision No 573/2014/EU of the European Parliament and of the Council of 15 May 2014 on enhanced cooperation between Public Employment Services (PES) (OJ L 159, 28.5.2014, p. 32).

⁵⁵ European Enterprise Network, <https://een.ec.europa.eu/>

⁵⁶ Communication from the Commission to the Council and the European Parliament, Boosting growth and cohesion in EU border regions, COM(2017) 534.

⁵⁷ Commission Recommendation of 17 September 2013 on the principles governing SOLVIT (OJ L 249, 19.9.2011, p. 10).

⁵⁸ Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare (OJ L 88, 4.4.2011, p. 45).

⁵⁹ COM(2016) 824 final and COM(2016) 823 final.

⁵⁸ Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare (OJ L 88, 4.4.2011, p. 45).

⁵⁹ COM(2016) 824 final and COM(2016) 823 final.

Or. en

Amendment 53 **Helga Stevens, Anders Primdahl Vistisen**

Proposal for a regulation **Recital 13**

Text proposed by the Commission

(13) In view of the fair, simple and effective application of Union law, the Authority should support cooperation and timely exchange of information between Member States. Together with other staff, National Liaison Officers working within the Authority should support Member States' compliance with cooperation obligations, speed up exchanges between them through procedures dedicated to reducing delays, and ensure links with other national liaison offices, bodies, and contact points established under Union law. The Authority should encourage the use of innovative approaches to effective and efficient cross-border cooperation, including electronic data exchange tools such as the Electronic Exchange of Social Security Information (EESSI) system and the Internal Market Information (IMI) system, and should contribute to further digitalising procedures and improving IT tools used for message exchange between national authorities.

Amendment

(13) In view of the fair, simple and effective application of Union law, the Authority should support cooperation and timely exchange of information between Member States. Together with other staff, National Liaison Officers working within the Authority should support Member States' compliance with cooperation obligations, speed up exchanges between them through procedures dedicated to reducing delays, and ensure links with other national liaison offices, bodies, and contact points established under Union law. The Authority should encourage the use of innovative approaches to effective and efficient cross-border cooperation, including electronic data exchange tools such as the Electronic Exchange of Social Security Information (EESSI) system and the Internal Market Information (IMI) system, and should contribute to further digitalising procedures and improving IT tools used for message exchange between national authorities. ***Data exchange, in particular of social security data, should take into account cyber criminality and security aspects, and should be strictly***

regulated.

Or. en

Amendment 54

Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) To increase Member States' capacity to tackle irregularities with a cross-border dimension in relation to Union law within its scope, the Authority should support the national authorities in carrying out concerted and joint inspections, including by facilitating the implementation of the inspections in accordance with Article 10 of Directive 2014/67/EU. ***These should take place at the request of Member States or upon their agreement to the Authority's suggestion.*** The Authority should provide strategic, logistical, and technical support to Member States participating in the concerted or joint inspections in full respect of confidentiality requirements. Inspections should be carried out in agreement with the Member States concerned and take place fully within the legal framework of national law of Member States concerned, which should follow up on the outcomes of the concerted and joint inspections according to national law.

Amendment

(14) To increase Member States' capacity to tackle irregularities with a cross-border dimension in relation to Union law within its scope, the Authority should support the national authorities in carrying out concerted and joint inspections, including by facilitating the implementation of the inspections in accordance with Article 10 of Directive 2014/67/EU. The Authority should provide strategic, logistical, and technical support to Member States participating in the concerted or joint inspections in full respect of confidentiality requirements. Inspections should be carried out in agreement with the Member States concerned and take place fully within the legal framework of national law of Member States concerned, which should follow up on the outcomes of the concerted and joint inspections according to national law. ***The Authority should never take up the role of national authorities and respects the principle of subsidiarity. There is no legal basis in the Treaty that allows for a European inspection system in the labour domain.***

Or. en

Amendment 55

Jean Lambert

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) To increase Member States' capacity to tackle irregularities with a cross-border dimension in relation to Union law within its scope, the Authority should support the national authorities in carrying out concerted and joint inspections, including by facilitating the implementation of the inspections in accordance with Article 10 of Directive 2014/67/EU. These should take place at the request of Member States or upon their agreement to the Authority's suggestion. The Authority should provide strategic, logistical, and technical support to Member States participating in the concerted or joint inspections in full respect of confidentiality requirements. Inspections should be carried out in agreement with the Member States concerned and take place fully within the legal framework of national law of Member States concerned, which should follow up on the outcomes of the concerted and joint inspections according to national law.

Amendment

(14) To increase Member States' capacity to tackle **labour** irregularities with a cross-border dimension in relation to Union law within its scope, the Authority should support the national authorities **and social partners** in carrying out concerted and joint inspections, including by facilitating the implementation of the inspections in accordance with Article 10 of Directive 2014/67/EU. These should take place at the request of Member States or upon their agreement to the Authority's suggestion. The Authority should provide strategic, logistical, and technical support to Member States participating in the concerted or joint inspections in full respect of confidentiality requirements. Inspections should be carried out in agreement with the Member States concerned and take place fully within the legal framework of national law of Member States concerned, which should follow up on the outcomes of the concerted and joint inspections according to national law.

Or. en

Amendment 56

Maria Grapini

Proposal for a regulation

Recital 14 a (new)

Text proposed by the Commission

Amendment

(14) In order to avoid a proliferation of Member State responsibilities, it is necessary to clarify matters in respect of

service-providing organisations with which Member State institutions will work;

Or. ro

Amendment 57
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Recital 15

Text proposed by the Commission

(15) In order to keep track of emerging trends, challenges, or loopholes in the areas of labour mobility and social security coordination, the Authority should develop an analytical and risk assessment capacity. This should involve carrying out labour market analyses and studies, as well as peer reviews. The authority should monitor potential imbalances in terms of skills and cross-border labour flows, including their possible impact on territorial cohesion. The Authority should also support the risk assessment referred to in Article 10 of Directive 2014/67/EU. The Authority should ensure synergies and complementarity with other Union Agencies or services or networks. This should include seeking input from SOLVIT and similar services on recurring problems encountered by individuals and businesses in the exercise of their rights in the areas under the scope of the Authority. The Authority should also facilitate and streamline data collection activities provided for by the relevant Union laws within its scope. This does not entail the creation of new reporting obligations for Member States.

Amendment

(15) In order to keep track of emerging trends, challenges, or loopholes in the areas of labour mobility and social security coordination, the Authority should develop an analytical and risk assessment capacity. This should involve carrying out labour market analyses and studies, as well as peer reviews. The authority should monitor potential imbalances in terms of skills and cross-border labour flows, including their possible impact on territorial cohesion. The Authority should also support the risk assessment referred to in Article 10 of Directive 2014/67/EU. The Authority should ensure synergies and complementarity with other Union Agencies or services or networks. This should include seeking input from SOLVIT and similar services on recurring problems encountered by individuals and businesses in the exercise of their rights in the areas under the scope of the Authority. The Authority should also facilitate and streamline data collection activities provided for by the relevant Union laws within its scope, ***while respecting data protection rules and taking into account cybersecurity risks***. This does not entail the creation of new reporting obligations for Member States.

Or. en

Amendment 58
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) To strengthen the capacity of national authorities and improve consistency in the application of Union law within its scope, the Authority should provide operational assistance to national authorities, including by developing practical guidelines, establishing training and peer learning programmes, promoting mutual assistance projects, facilitating staff exchanges such as those referred to in Article 8 of Directive 2014/67/EU, and supporting Member States in organising awareness-raising campaigns informing individuals and employers of their rights and obligations. The Authority should promote the exchange, dissemination and uptake of good practices.

Amendment

(16) To strengthen the capacity of national authorities and improve consistency in the application of Union law within its scope, the Authority should provide operational assistance to national authorities, including by developing practical guidelines, establishing training and peer learning programmes, promoting mutual assistance projects, facilitating staff exchanges such as those referred to in Article 8 of Directive 2014/67/EU, and supporting Member States in organising awareness-raising campaigns informing individuals and employers of their rights and obligations. The Authority should promote the exchange, dissemination and uptake of good practices. ***The Authority does not have any regulatory power or interpretation capacity, and respects the division of powers as enshrined in the Treaty.***

Or. en

Amendment 59
Helga Stevens

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) The Authority should provide a platform for ***resolving*** disputes between Member States in relation to the application of Union law that falls within

Amendment

(17) The Authority should provide a platform for ***mediating*** disputes between Member States in relation to the application of Union law that falls within

its scope. ***It should build on*** dialogue and conciliation mechanisms that are currently in place in the area of social security coordination, ***which are valued by Member States⁶⁰ and their importance is recognised by the Court of Justice⁶¹***. Member States should be able to refer cases to the Authority for mediation according to standard procedures put in place for this purpose. The Authority should only deal with disputes between Member States, while individuals and employers facing difficulties with exercising their Union rights should continue to have at their disposal the national and Union services dedicated to dealing with such cases, such as the SOLVIT network to which the Authority should refer such cases. The SOLVIT network should also be able to refer to the Authority for its consideration cases in which the problem cannot be solved due to differences between national administrations.

its scope. ***Existing examples of mediation procedures are the*** dialogue and conciliation mechanisms that are currently in place in the area of social security coordination, ***and, while they need to be improved, should not be duplicated.*** Member States should be able to refer cases to the Authority for mediation according to standard procedures put in place for this purpose. ***The use of the mediation procedure should remain voluntary for the Member States involved.*** The Authority should only deal with disputes between Member States, while individuals and employers facing difficulties with exercising their Union rights should continue to have at their disposal the national and Union services dedicated to dealing with such cases, such as the SOLVIT network to which the Authority should refer such cases. The SOLVIT network should also be able to refer to the Authority for its consideration cases in which the problem cannot be solved due to differences between national administrations. ***The Authority fully respects the competences of the European Court of Justice, and the right to an effective remedy before a tribunal and to a fair trial.***

⁶⁰ Council, *Partial general approach of 26 October 2017 on the proposal for a Regulation amending Regulation (EC) No 883/2004 on the coordination of social security systems and regulation (EC) No 987/2009 laying down the procedure for implementing Regulation (EC) No 883/2004* 13645/1/17.

⁶¹ Case C-236/88 EU:C:1990:303, paragraph 17; Case C-202/97 EU:C:2000:75, paragraphs 57-58; Case C-178/97 EU:C:2000:169, paragraphs 44-45; Case C-2/05 EU:C:2006:69, paragraphs 28-29; Case C-12/14 EU:C:2016:135, paragraphs 39-41; Case C-359/16 EU:C:2018:63, paragraphs 44-

Amendment 60
Kostas Chrysogonos

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) The Authority should provide a platform for resolving disputes between Member States in relation to the application of Union law that falls within its scope. It should build on dialogue and conciliation mechanisms that are currently in place in the area of social security coordination, which are valued by Member States⁶⁰ and their importance is recognised by the Court of Justice⁶¹. Member States should be able to refer cases to the Authority for mediation according to standard procedures put in place for this purpose. The Authority should only deal with disputes between Member States, while individuals and employers facing difficulties with exercising their Union rights should continue to have at their disposal the national and Union services dedicated to dealing with such cases, such as the SOLVIT network to which the Authority should refer such cases. The SOLVIT network should also be able to refer to the Authority for its consideration cases in which the problem cannot be solved due to differences between national administrations.

⁶⁰ Council, Partial general approach of 26 October 2017 on the proposal for a Regulation amending Regulation (EC) No 883/2004 on the coordination of social

Amendment

(17) The Authority should provide a platform for resolving disputes between Member States in relation to the application of Union law that falls within its scope. It should build on **democratic** dialogue and conciliation mechanisms that are currently in place in the area of social security coordination, which are valued by Member States⁶⁰ and their importance is recognised by the Court of Justice⁶¹. Member States should be able to refer cases to the Authority for mediation according to standard procedures put in place for this purpose. The Authority should only deal with disputes between Member States, while individuals and employers facing difficulties with exercising their Union rights should continue to have at their disposal the national and Union services dedicated to dealing with such cases, such as the SOLVIT network to which the Authority should refer such cases. The SOLVIT network should also be able to refer to the Authority for its consideration cases in which the problem cannot be solved due to differences between national administrations.

⁶⁰ Council, Partial general approach of 26 October 2017 on the proposal for a Regulation amending Regulation (EC) No 883/2004 on the coordination of social

security systems and regulation (EC) No 987/2009 laying down the procedure for implementing Regulation (EC) No 883/2004 13645/1/17.

⁶¹ Case C-236/88 EU:C:1990:303, paragraph 17; Case C-202/97 EU:C:2000:75, paragraphs 57-58; Case C-178/97 EU:C:2000:169, paragraphs 44-45; Case C-2/05 EU:C:2006:69, paragraphs 28-29; Case C-12/14 EU:C:2016:135, paragraphs 39-41; Case C-359/16 EU:C:2018:63, paragraphs 44-45.

security systems and regulation (EC) No 987/2009 laying down the procedure for implementing Regulation (EC) No 883/2004 13645/1/17.

⁶¹ Case C-236/88 EU:C:1990:303, paragraph 17; Case C-202/97 EU:C:2000:75, paragraphs 57-58; Case C-178/97 EU:C:2000:169, paragraphs 44-45; Case C-2/05 EU:C:2006:69, paragraphs 28-29; Case C-12/14 EU:C:2016:135, paragraphs 39-41; Case C-359/16 EU:C:2018:63, paragraphs 44-45.

Or. en

Amendment 61
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Recital 18

Text proposed by the Commission

(18) To facilitate the management of labour market adjustments, the Authority should facilitate cooperation among relevant stakeholders in order to address labour market disruptions affecting more than one Member State, such as cases of restructuring or major projects impacting employment in border regions.

Amendment

deleted

Or. en

Amendment 62
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Recital 21

Text proposed by the Commission

(21) The Member States and the Commission should be represented on a

Amendment

(21) The Member States and the Commission should be represented on a

Management Board, in order to ensure the effective functioning of the Authority. The composition of the Management Board, including the selection of its Chair and Deputy-Chair, should respect the principles of gender balance, experience and qualification. In view of the effective and efficient functioning of the Authority, the Management Board, in particular, should adopt an annual work programme, carry out its functions relating to the Authority's budget, adopt the financial rules applicable to the Authority, appoint an Executive Director, and establish procedures for taking decisions relating to the operational tasks of the Authority by the Executive Director. Representatives from countries other than Union Member States, which are applying the Union rules within the scope of the Authority, may participate in the meetings of the Management Board as observers.

Management Board, in order to ensure the effective functioning of the Authority. The composition of the Management Board, including the selection of its Chair and Deputy-Chair, should respect the principles of gender balance, experience and qualification. In view of the effective and efficient functioning of the Authority, the Management Board, in particular, should adopt an annual work programme, carry out its functions relating to the Authority's budget, adopt the financial rules applicable to the Authority, appoint an Executive Director, and establish procedures for taking decisions relating to the operational tasks of the Authority by the Executive Director. Representatives from countries other than Union Member States, which are applying the Union rules within the scope of the Authority, may participate in the meetings of the Management Board as observers. ***The Member States retain full scrutiny and control over the remit and work programme of the Authority.***

Or. en

Amendment 63

Jean Lambert

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 21

Text proposed by the Commission

(21) The Member States and the Commission should be represented on a Management Board, in order to ensure the effective functioning of the Authority. The composition of the Management Board, including the selection of its Chair and Deputy-Chair, should respect the principles of gender balance, experience and qualification. In view of the effective and efficient functioning of the Authority, the

Amendment

(21) The Member States, ***social partners, the European Parliament*** and the Commission should be represented on a Management Board, in order to ensure the effective functioning of the Authority. The composition of the Management Board, including the selection of its Chair and Deputy-Chair, should respect the principles of gender balance, experience and qualification. In view of the effective and

Management Board, in particular, should adopt an annual work programme, carry out its functions relating to the Authority's budget, adopt the financial rules applicable to the Authority, appoint an Executive Director, and establish procedures for taking decisions relating to the operational tasks of the Authority by the Executive Director. Representatives from countries other than Union Member States, which are applying the Union rules within the scope of the Authority, may participate in the meetings of the Management Board as observers.

efficient functioning of the Authority, the Management Board, in particular, should adopt an annual work programme, carry out its functions relating to the Authority's budget, adopt the financial rules applicable to the Authority, appoint an Executive Director, and establish procedures for taking decisions relating to the operational tasks of the Authority by the Executive Director. Representatives from countries other than Union Member States, which are applying the Union rules within the scope of the Authority **and the ILO** may participate in the meetings of the Management Board as observers.

Or. en

Amendment 64

Jean Lambert

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) The Authority should directly rely on the expertise of relevant stakeholders in the areas under its scope through a dedicated Stakeholder Group. The members should be representatives of Union-level social partners. In carrying out its activities, the Stakeholder Group will take due account of the opinions and draw on the expertise of the Advisory Committee for the Coordination of Social Security Systems established by Regulation (EC) No 883/2004 and the Advisory Committee on the Free Movement of Workers established pursuant to Regulation (EU) No 492/2011.

Amendment

(23) The Authority should directly rely on the expertise of relevant stakeholders in the areas under its scope through a dedicated Stakeholder Group. The members should be representatives of Union-level social partners, **the ILO and relevant civil society organisations**. In carrying out its activities, the Stakeholder Group will take due account of the opinions and draw on the expertise of the Advisory Committee for the Coordination of Social Security Systems established by Regulation (EC) No 883/2004 and the Advisory Committee on the Free Movement of Workers established pursuant to Regulation (EU) No 492/2011.

Or. en

Amendment 65

Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation

Recital 24

Text proposed by the Commission

(24) To guarantee its full autonomy and independence, the Authority should be granted an autonomous budget, with revenue coming from the general budget of the Union, any voluntary financial contribution from the Member States and any contribution from third countries participating in the work of the Authority. In exceptional and duly justified cases it should also be in the position to receive delegation agreements or ad hoc grants, and to charge for publications and any service provided by the Authority.

Amendment

(24) To guarantee its full autonomy and independence, the Authority should be granted an autonomous budget, with revenue coming from the general budget of the Union **by identifying underutilised existing budget lines**. Any voluntary financial contribution from the Member States and any contribution from third countries participating in the work **of the Authority can co-finance the budget** of the Authority. In exceptional and duly justified cases it should also be in the position to receive delegation agreements or ad hoc grants, and to charge for publications and any service provided by the Authority.

Or. en

Amendment 66

Jean Lambert

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) Processing of personal data carried out in the context of this Regulation should be conducted in accordance with Regulation (EU) No 2016/679 of the European Parliament and of the Council⁶⁴, **or Regulation (EC) No 45/2001** of the European Parliament and of the Council⁶⁵, **whichever is applicable. This includes putting in place** appropriate technical and

Amendment

(25) **Any** processing of personal data carried out **by the Authority** in the context of this Regulation **should be conducted in accordance with Regulation (EU) 2018/XX [successor of Regulation (EC) No 45/2001 of the European Parliament and of the Council^{1a}]**. **Any processing of personal data carried out by Member States within the framework of this**

organisational measures to comply with the obligations imposed by these Regulations, in particular those relating to the lawfulness of the processing, the security of the processing activities, the provision of information and the rights of data subjects.

Regulation, in particular in the context of concerted or joint inspections, should be conducted in accordance with Regulation (EU) No 2016/679 of the European Parliament and of the Council^{1b}. In cases where the processing of personal data is necessary primarily for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, especially in the context of concerted or joint inspections uncovering irregularities of a criminal nature such as labour exploitation or trafficking in human beings, the processing of such personal data should be conducted in accordance with Directive (EU) 2016/680 of the European Parliament and of the Council^{1c}. Appropriate technical and organisational measures to comply with the obligations imposed by these Regulations, in particular those relating to the lawfulness of the processing, the security of the processing activities, the provision of information and the rights of data subjects, should be put in place by the Authority.

^{1a} ***Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L8, 12.1.2001, p. 1), currently under revision by COM(2017) 8 final.***

^{1b} ***Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119 of 4.5.2016, p. 1).***

^{1c} ***Directive (EU) 2016/680 of the***

European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA.

⁶⁴ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119 of 4.5.2016, p. 1).

⁶⁵ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L8, 12.1.2001, p. 1), currently under revision by COM(2017) 8 final.

Or. en

Amendment 67
Kostas Chrysogonos

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) Within the framework of their respective competences, the Authority should cooperate with other agencies of the Union, in particular those established in the area of employment and social policy,

Amendment

(30) Within the framework of their respective competences, the Authority should cooperate with other agencies of the Union, in particular those established in the area of employment and social policy,

building on their expertise and maximising synergies: the European Foundation for the Improvement of Living and Working Conditions (Eurofound), the European Centre for the Development of Vocational Training (Cedefop), the European Agency for Safety and Health at Work (EU-OSHA), and the European Training Foundation (ETF), as well as, as regards the fight against organised crime and trafficking in human beings, with the European Union Agency for Law Enforcement Cooperation (Europol) and European Union Agency for Criminal Justice Cooperation (Eurojust).

building on their expertise and maximising synergies: the European Foundation for the Improvement of Living and Working Conditions (Eurofound), the European Centre for the Development of Vocational Training (Cedefop), the European Agency for Safety and Health at Work (EU-OSHA), and the European Training Foundation (ETF), as well as, as regards the fight against organised crime, ***corruption*** and trafficking in human beings, with the European Union Agency for Law Enforcement Cooperation (Europol) and European Union Agency for Criminal Justice Cooperation (Eurojust), ***as well as with the other EU agencies active in the area of justice and home affairs, such as the European Union Agency for Fundamental Rights (FRA), the European Asylum Support Office (EASO), the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA), the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), the European Institute for Gender Equality (EIGE), the EU Agency for Law Enforcement Training (CEPOL) and the EU Anti-Trafficking Coordinator.***

Or. en

Amendment 68

Jean Lambert

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 30

Text proposed by the Commission

(30) Within the framework of their respective competences, the Authority should cooperate with other agencies of the Union, in particular those established in the

Amendment

(30) Within the framework of their respective competences, the Authority should cooperate with other agencies of the Union, in particular those established in the

area of employment and social policy, building on their expertise and maximising synergies: the European Foundation for the Improvement of Living and Working Conditions (Eurofound), the European Centre for the Development of Vocational Training (Cedefop), the European Agency for Safety and Health at Work (EU-OSHA), and the European Training Foundation (ETF), as well as, as regards the fight against organised crime and trafficking in human beings, with the European Union Agency for Law Enforcement Cooperation (Europol) and European Union Agency for Criminal Justice Cooperation (Eurojust).

area of employment and social policy, building on their expertise and maximising synergies: the European Foundation for the Improvement of Living and Working Conditions (Eurofound), the European Centre for the Development of Vocational Training (Cedefop), the European Agency for Safety and Health at Work (EU-OSHA), and the European Training Foundation (ETF), as well as, as regards the fight against organised crime and trafficking in human beings, with the European Union Agency for Law Enforcement Cooperation (Europol), ***the European Union Agency for Fundamental Rights (FRA), the European Public Prosecutor's Office (EPPO)*** and European Union Agency for Criminal Justice Cooperation (Eurojust).

Or. en

Amendment 69
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) Within the framework of their respective competences, the Authority should cooperate with other agencies of the Union, in particular those established in the area of employment and social policy, building on their expertise and maximising synergies: the European Foundation for the Improvement of Living and Working Conditions (Eurofound), the European Centre for the Development of Vocational Training (Cedefop), the European Agency for Safety and Health at Work (EU-OSHA), and the European Training Foundation (ETF), as well as, as regards the fight against organised crime and trafficking in human beings, with the

Amendment

(30) Within the framework of their respective competences, the Authority should cooperate with other agencies of the Union, in particular those established in the area of employment and social policy, building on their expertise and maximising synergies, ***such as***: the European Foundation for the Improvement of Living and Working Conditions (Eurofound), the European Centre for the Development of Vocational Training (Cedefop), the European Agency for Safety and Health at Work (EU-OSHA), and the European Training Foundation (ETF), as well as, as regards the fight against organised crime and trafficking in human beings, with the

European Union Agency for Law Enforcement Cooperation (Europol) *and* European Union Agency for Criminal Justice Cooperation (Eurojust).

European Union Agency for Law Enforcement Cooperation (Europol), European Union Agency for Criminal Justice Cooperation (Eurojust) *and the European Border and Coast Guard Agency (Frontex)*.

Or. en

Amendment 70
Maria Grapini

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) Within the framework of their respective competences, the Authority should cooperate with other agencies of the Union, in particular those established in the area of employment and social policy, building on their expertise and maximising synergies: the European Foundation for the Improvement of Living and Working Conditions (Eurofound), the European Centre for the Development of Vocational Training (Cedefop), the European Agency for Safety and Health at Work (EU-OSHA), and the European Training Foundation (ETF), as well as, as regards the fight against organised crime and trafficking in human beings, with the European Union Agency for Law Enforcement Cooperation (Europol) and European Union Agency for Criminal Justice Cooperation (Eurojust).

Amendment

(30) Within the framework of their respective competences, the Authority should cooperate with other agencies of the Union, in particular those established in the area of employment and social policy, building on their expertise and maximising synergies: the European Foundation for the Improvement of Living and Working Conditions (Eurofound), the European Centre for the Development of Vocational Training (Cedefop), the European Agency for Safety and Health at Work (EU-OSHA), and the European Training Foundation (ETF), as well as, as regards the fight against organised crime and trafficking in human beings, with the European Union Agency for Law Enforcement Cooperation (Europol) and European Union Agency for Criminal Justice Cooperation (Eurojust) *and the European Public Prosecutor's Office (EPPO)*.

Or. ro

Amendment 71
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation

Recital 31

Text proposed by the Commission

(31) In order to ***bring an operational dimension to the activities of existing bodies in the areas of cross-border labour mobility***, the Authority should take over the performance of tasks carried out by the Technical Committee on the Free Movement of Workers established pursuant to Regulation (EU) No 492/2011, the Committee of Experts on Posting of Workers set up by Commission Decision 2009/17/EC⁶⁸ and the European Platform to enhance cooperation in tackling undeclared work set up by Decision (EU) 2016/344 of the European Parliament and the Council⁶⁹. With the establishment of the Authority, those bodies should cease to exist.

⁶⁸ Commission Decision 2009/17/EC of 19 December 2008 setting up the Committee of Experts on Posting of Workers (OJ L 8, 13.1.2009, p. 26).

⁶⁹ Decision (EU) 2016/344 of the European Parliament and of the Council of 9 March 2016 on establishing a European Platform to enhance cooperation in tackling undeclared work (OJ L 65, 11.3.2016, p. 12).

Amendment

(31) In order to ***avoid multiplication of EU*** bodies, the Authority should take over the performance of tasks carried out by the Technical Committee on the Free Movement of Workers established pursuant to Regulation (EU) No 492/2011, the Committee of Experts on Posting of Workers set up by Commission Decision 2009/17/EC⁶⁸ and the European Platform to enhance cooperation in tackling undeclared work set up by Decision (EU) 2016/344 of the European Parliament and the Council⁶⁹. With the establishment of the Authority, those bodies should cease to exist ***if the Authority can prove to have a clear European added value compared to these existing structures***.

⁶⁸ Commission Decision 2009/17/EC of 19 December 2008 setting up the Committee of Experts on Posting of Workers (OJ L 8, 13.1.2009, p. 26).

⁶⁹ Decision (EU) 2016/344 of the European Parliament and of the Council of 9 March 2016 on establishing a European Platform to enhance cooperation in tackling undeclared work (OJ L 65, 11.3.2016, p. 12).

Or. en

Amendment 72

Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation

Recital 32

Text proposed by the Commission

Amendment

(32) The Authority should **complement** the activities of the Administrative Commission for the Coordination of Social Security Systems created by Regulation (EC) No 883/2004 ('the Administrative Commission') in so far as it exercises regulatory tasks related to the application of Regulations (EC) No 883/2004 and (EC) No 987/2009. The Authority should however take over operational tasks currently carried out under the framework of the Administrative Commission, such as providing a mediation function between Member States, ensuring a forum for handling financial matters related to the application of Regulations (EC) No 883/2004 and (EC) No 987/2009, replacing the function of the Audit Board set up by those Regulations, as well as matters related to electronic data exchange and IT tools to facilitate the application of those Regulations, replacing the function of the Technical Commission for Data Processing set up by those Regulations.

(32) The Authority should **support** the activities of the Administrative Commission for the Coordination of Social Security Systems created by Regulation (EC) No 883/2004 ('the Administrative Commission') in so far as it exercises regulatory tasks related to the application of Regulations (EC) No 883/2004 and (EC) No 987/2009. The Authority should however take over operational tasks currently carried out under the framework of the Administrative Commission, such as providing a mediation function between Member States, ensuring a forum for handling financial matters related to the application of Regulations (EC) No 883/2004 and (EC) No 987/2009, replacing the function of the Audit Board set up by those Regulations, as well as matters related to electronic data exchange and IT tools to facilitate the application of those Regulations, replacing the function of the Technical Commission for Data Processing set up by those Regulations. **However, the shifting of tasks to a new European agency is only budgetary sound if there is a proven European added value in shifting these tasks.**

Or. en

Amendment 73

Jean Lambert

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 36

Text proposed by the Commission

(36) Since the objectives of this Regulation to support the free movement of workers and services and to contribute to strengthening **fairness** in the internal market cannot be sufficiently achieved by the Member States acting in an

Amendment

(36) Since the objectives of this Regulation to support the free movement of workers and services and to contribute to strengthening **social justice** in the internal market cannot be sufficiently achieved by the Member States acting in an

uncoordinated manner, but can rather, by reason of the cross-border nature of those activities and the need for increased cooperation between Member States, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, this Regulation does not go beyond what is necessary in order to achieve those objectives.

uncoordinated manner, but can rather, by reason of the cross-border nature of those activities and the need for increased cooperation between Member States, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, this Regulation does not go beyond what is necessary in order to achieve those objectives.

Or. en

Amendment 74
Kostas Chrysogonos

Proposal for a regulation
Recital 37

Text proposed by the Commission

(37) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union, as referred to in Article 6 of the Treaty on European Union,

Amendment

(37) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union, as referred to in Article 6 of the Treaty on European Union. ***It also takes into account the European Pillar of Social Rights,***

Or. en

Amendment 75
Kostas Chrysogonos

Proposal for a regulation
Article 1 – paragraph 2

Text proposed by the Commission

2. The Authority shall assist Member States and the Commission in matters

Amendment

2. The Authority shall ***mainly*** assist Member States and the Commission in

relating to cross-border labour mobility and the coordination of social security systems within the Union.

matters relating to cross-border labour mobility, ***unemployment***, and the coordination of social security systems within the Union.

Or. en

Amendment 76
Csaba Sógor

Proposal for a regulation
Article 2 – paragraph 1 – introductory part

Text proposed by the Commission

The objective of the Authority shall be to contribute to ***ensuring fair labour mobility*** in the internal market. To this end, the Authority shall:

Amendment

The objective of the Authority shall be to ***support the free movement of workers and services and to*** contribute to ***strengthening fairness*** in the internal market. To this end, the Authority shall:

Or. en

Amendment 77
Csaba Sógor

Proposal for a regulation
Article 2 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) facilitate the identification of barriers to freedom of movement, access to employment and access to social security on the Internal Market.

Or. en

Amendment 78
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation

Article 2 – paragraph 1 – point c

Text proposed by the Commission

(c) mediate and facilitate a solution in cases of cross-border disputes between national authorities ***or labour market disruptions.***

Amendment

(c) mediate and facilitate a solution in cases of cross-border disputes between national authorities.

Or. en

Amendment 79

Jean Lambert

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 2 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) coordinate measures to enhance free movement, a Union-wide fair labour competition market and decent working conditions as well as adequate social protection for all workers and members of their families.

Or. en

Amendment 80

Kostas Chrysogonos

Proposal for a regulation

Article 2 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) advises the Commission and the Member States on tackling unemployment.

Or. en

Amendment 81
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Article 5 – paragraph 1 – point a

Text proposed by the Commission

(a) facilitate access to information **by individuals and employers** on rights and obligations in cross-border situations as well as access to cross-border labour mobility services, in accordance with Articles 6 and 7;

Amendment

(a) facilitate access to information on rights and obligations in cross-border situations as well as access to cross-border labour mobility services, in accordance with Articles 6 and 7;

Or. en

Amendment 82
Kostas Chrysogonos

Proposal for a regulation
Article 5 – paragraph 1 – point b

Text proposed by the Commission

(b) facilitate cooperation and the exchange of information between national authorities with a view to the effective enforcement of relevant Union law, in accordance with Article 8;

Amendment

(b) facilitate cooperation and the exchange of information between national authorities with a view to the effective enforcement of relevant Union law, in accordance with Article 8, **and the effective tackling of unemployment;**

Or. en

Amendment 83
Csaba Sógor

Proposal for a regulation
Article 5 – paragraph 1 – point d

Text proposed by the Commission

(d) carry out analyses and risk assessments on issues of cross-border labour mobility, in accordance with Article

Amendment

(d) carry out analyses and risk assessments on issues of cross-border labour mobility **and barriers to the free**

11;

movement of workers and services, in accordance with Article 11;

Or. en

Amendment 84
Csaba Sógor

Proposal for a regulation
Article 5 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) support Member States with capacity building in relation to making targeted inspections to identify and sanction severe labour exploitation practices;

Or. en

Amendment 85
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Article 5 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) facilitate cooperation between relevant stakeholders in the event of cross-border labour market disruptions, in accordance with Article 14.

deleted

Or. en

Amendment 86
Jean Lambert
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 5 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) establish and implement a complaints and response mechanism including incident reporting as regarding to cross-border social or labour fraud and error.

Or. en

Amendment 87

Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation

Article 6 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

The Authority shall improve the availability, quality and accessibility of information ***offered to individuals and employers*** to facilitate labour mobility across the Union, in accordance with Regulation (EU) 589/2016 on EURES and Regulation [Single Digital Gateway – COM(2017)256]. To that end, the Authority shall:

The Authority shall improve the availability, quality and accessibility of information to facilitate labour mobility across the Union, in accordance with Regulation (EU) 589/2016 on EURES and Regulation [Single Digital Gateway – COM(2017)256]. To that end, the Authority shall:

Or. en

Amendment 88

Jean Lambert

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 6 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) provide relevant information to employers on labour rules, and the living and working conditions applicable to workers in cross-border labour mobility

(c) provide relevant information to employers, ***workers and members of their families*** on labour rules, and the living and working conditions applicable to workers in cross-border labour mobility situations,

situations, including posted workers;

including posted workers *and workers who are third country nationals, irrespective of their residence status*;

Or. en

Amendment 89
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Article 6 – paragraph 1 – point c

Text proposed by the Commission

(c) provide relevant information *to employers* on labour rules, and the living and working conditions applicable to workers in cross-border labour mobility situations, including posted workers;

Amendment

(c) provide relevant information on labour rules, and the living and working conditions applicable to workers in cross-border labour mobility situations, including posted workers;

Or. en

Amendment 90
Csaba Sógor

Proposal for a regulation
Article 6 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) register complaints of workers and employers with regard to alleged infringements to the free movement of workers, freedom of establishment and freedom to provide services on the internal market and issue proposals for competent member State authorities and the Commission to solve those issues;

Or. en

Amendment 91

Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation

Article 6 – paragraph 1 – point f

Text proposed by the Commission

(f) support Member States in streamlining the provision of information and services *to individuals and employers* pertaining to cross-border mobility on a voluntary basis, while fully respecting Member States' competences.

Amendment

(f) support Member States in streamlining the provision of information and services pertaining to cross-border mobility on a voluntary basis, while fully respecting Member States' competences.

Or. en

Amendment 92

Kostas Chrysogonos

Proposal for a regulation

Article 6 – paragraph 1 – point f

Text proposed by the Commission

(f) support Member States in streamlining the provision of information and services to individuals and employers pertaining to cross-border mobility on a voluntary basis, while fully respecting Member States' competences.

Amendment

(f) support Member States in streamlining the provision of information and services to individuals and employers pertaining to cross-border mobility on a voluntary basis, while fully respecting Member States' competences *and the fundamental rights*.

Or. en

Amendment 93

Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation

Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Authority shall provide services *to individuals and employers* to facilitate labour mobility across the Union.

Amendment

1. *Without duplicating already existing mechanisms*, the Authority shall provide services to facilitate labour

To that end, the Authority shall:

mobility across the Union. To that end, the Authority shall:

Or. en

Amendment 94
Kostas Chrysogonos

Proposal for a regulation
Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The Authority shall provide services to individuals and employers to facilitate labour mobility across the Union. To that end, the Authority shall:

1. The Authority shall provide, **where appropriate**, services to individuals and employers to facilitate labour mobility across the Union. To that end, the Authority shall:

Or. en

Amendment 95
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Article 7 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) promote the development of initiatives supporting the cross-border mobility of individuals, **including targeted mobility schemes**;

(a) promote the development of initiatives supporting the cross-border mobility of individuals;

Or. en

Amendment 96
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Article 7 – paragraph 2

Text proposed by the Commission

2. The Authority shall manage the EURES European Coordination Office and ensure that it fulfils its responsibilities in accordance with Article 8 of Regulation (EU) 2016/589, except for the technical operation and development of the EURES portal and related IT services, which shall continue to be managed by the Commission. The Authority, under the responsibility of the Executive Director as set out in Article 23(4)(k), shall ensure that this activity fully complies with requirements of the applicable data protection legislation, including the requirement to appoint a Data Protection Officer, in accordance with Article 37.

Amendment

2. The Authority shall manage the EURES European Coordination Office and ensure that it fulfils its responsibilities in accordance with Article 8 of Regulation (EU) 2016/589, except for the technical operation and development of the EURES portal and related IT services, which shall continue to be managed by the Commission. ***It shall be evaluated if this separation of powers is not resulting in a more complex structure.*** The Authority, under the responsibility of the Executive Director as set out in Article 23(4)(k), shall ensure that this activity fully complies with requirements of the applicable data protection legislation, including the requirement to appoint a Data Protection Officer, in accordance with Article 37.

Or. en

Amendment 97
Kostas Chrysogonos

Proposal for a regulation
Article 8 – paragraph 1 – subparagraph 1

Text proposed by the Commission

The Authority shall facilitate cooperation between Member States and support their effective compliance with cooperation obligations, including on information exchange, as defined in Union law within the scope of the Authority's competences.

Amendment

The Authority shall facilitate cooperation between Member States and support their effective compliance with cooperation obligations, including on information exchange, as defined in Union law within the scope of the Authority's competences, ***whilst respecting in full the protection of personal data and fundamental rights.***

Or. en

Amendment 98

Kostas Chrysogonos

Proposal for a regulation

Article 8 – paragraph 2

Text proposed by the Commission

2. The Authority shall support the work of the Administrative Commission for the Coordination of Social Security Systems with handling financial matters related to social security coordination, in accordance with Article 74 of Regulation (EC) No 883/2004 and Articles 65, 67 and 69 of Regulation (EC) No 987/2009.

Amendment

2. The Authority shall support the work of the Administrative Commission for the **efficient** Coordination of Social Security Systems with handling financial matters related to social security coordination, in accordance with Article 74 of Regulation (EC) No 883/2004 and Articles 65, 67 and 69 of Regulation (EC) No 987/2009.

Or. en

Amendment 99

Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation

Article 8 – paragraph 3

Text proposed by the Commission

3. The Authority shall promote the use of electronic tools and procedures for message exchange between national authorities, including the Internal Market Information (IMI) system and the Electronic Exchange of Social Security Information (EESSI) system.

Amendment

3. The Authority shall promote the use of electronic tools and procedures for message exchange between national authorities, including the Internal Market Information (IMI) system and the Electronic Exchange of Social Security Information (EESSI) system, **while fully respecting data protection regulation.**

Or. en

Amendment 100

Kostas Chrysogonos

Proposal for a regulation

Article 8 – paragraph 3

Text proposed by the Commission

3. The Authority shall promote the use of electronic tools and procedures for message exchange between national authorities, including the Internal Market Information (IMI) system and the Electronic Exchange of Social Security Information (EESSI) system.

Amendment

3. The Authority shall promote the ***proper*** use of electronic tools and procedures for message exchange between national authorities, including the Internal Market Information (IMI) system and the Electronic Exchange of Social Security Information (EESSI) system.

Or. en

Amendment 101
Kostas Chrysogonos

Proposal for a regulation
Article 8 – paragraph 4

Text proposed by the Commission

4. The Authority shall encourage the use of innovative approaches to effective and efficient cross-border cooperation, and explore the potential use of electronic exchange mechanisms between the Member States to facilitate the detection of fraud, providing reports to the Commission with a view to their further development.

Amendment

4. The Authority shall encourage the use of innovative approaches to effective and efficient cross-border cooperation, and explore the potential use of electronic exchange mechanisms between the Member States to facilitate the detection of fraud, providing reports to the Commission with a view to their further development ***and with full respect of personal data.***

Or. en

Amendment 102
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Article 8 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The Authority does not have any regulatory power or interpretation capacity, and respects the division of powers as enshrined in the Treaty.

Amendment 103
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Article 9 – paragraph 1

Text proposed by the Commission

1. *At the request of one or several Member States*, the Authority shall coordinate concerted or joint inspections in the areas under the scope of the Authority's competences. The request may be submitted by one or several Member States. *The Authority may also suggest to the authorities of the Member States concerned that they perform a concerted or joint inspection.*

Amendment

1. The Authority shall coordinate concerted or joint inspections in the areas under the scope of the Authority's competences. The request may be submitted by one or several Member States.

Amendment 104
Kostas Chrysogonos

Proposal for a regulation
Article 9 – paragraph 3

Text proposed by the Commission

3. The organisation of a concerted or joint inspection shall be subject to the prior agreement of all participating Member States via their National Liaison Officers. In the event that one or more Member States refuse to take part in the concerted or joint inspection, the other national authorities may, where appropriate, only carry out the envisaged concerted or joint inspection in the participating Member States. *The Member States that declined to participate in the inspection shall keep information about the envisaged*

Amendment

3. The organisation of a concerted or joint inspection shall be subject to the prior agreement of all participating Member States via their National Liaison Officers. In the event that one or more Member States refuse to take part in the concerted or joint inspection, the other national authorities may, where appropriate, only carry out the envisaged concerted or joint inspection in the participating Member States.

inspection confidential.

Or. en

Amendment 105

Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation

Article 10 – paragraph 7

Text proposed by the Commission

7. In the event that the Authority, in the course of concerted or joint inspections, or in the course of any of its activities, becomes aware of suspected irregularities in the application of Union law, ***including beyond*** the scope of its competences, it shall report those suspected irregularities to the Commission and authorities in the Member State concerned, where appropriate.

Amendment

7. In the event that the Authority, in the course of concerted or joint inspections, or in the course of any of its activities, becomes aware of suspected irregularities in the application of Union law, ***within*** the scope of its competences, it shall report those suspected irregularities to the Commission and authorities in the Member State concerned, where appropriate.

Or. en

Amendment 106

Csaba Sógor

Proposal for a regulation

Article 11 – paragraph 1

Text proposed by the Commission

1. The Authority shall assess risks and carry out analyses regarding cross-border labour flows, such as labour market imbalances, sector-specific ***threats and*** recurring problems encountered by individuals and employers in relation to cross-border mobility. For that purpose, the Authority shall ensure complementarity with, and draw on the expertise of, other Union agencies or services, including in the areas of skills forecasting and health

Amendment

1. The Authority shall assess risks and carry out analyses regarding cross-border labour flows, such as labour market imbalances, sector-specific ***developments, barriers to the free movement of workers and services, discrimination in access to employment and other*** recurring problems encountered by individuals and employers in relation to cross-border mobility. For that purpose, the Authority shall ensure complementarity with, and draw on the

and safety at work. Upon a request by the Commission, the Authority may carry out focused in-depth analyses and studies to investigate specific labour mobility issues.

expertise of, other Union agencies or services, including in the areas of skills forecasting and health and safety at work. Upon a request by the Commission, the Authority may carry out focused in-depth analyses and studies to investigate specific labour mobility issues.

Or. en

Amendment 107

Jean Lambert

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 11 – paragraph 1

Text proposed by the Commission

1. The Authority shall assess risks and carry out analyses regarding cross-border labour flows, such as labour market imbalances, sector-specific threats and recurring problems encountered by individuals and employers in relation to cross-border mobility. For that purpose, the Authority shall ensure complementarity with, and draw on the expertise of, other Union agencies or services, including in the areas of skills forecasting and health and safety at work. Upon a request by the Commission, the Authority may carry out focused in-depth analyses and studies to investigate specific labour mobility issues.

Amendment

1. The Authority shall assess risks and carry out analyses regarding cross-border labour flows, such as labour market imbalances, sector-specific threats and recurring problems encountered by individuals and employers in relation to cross-border mobility. ***Any data processed to assess risks and carry out analyses shall be fully anonymised.*** For that purpose, the Authority shall ensure complementarity with, and draw on the expertise of, other Union agencies or services, including in the areas of skills forecasting and health and safety at work. Upon a request by the Commission, the Authority may carry out focused in-depth analyses and studies to investigate specific labour mobility issues.

Or. en

Amendment 108

Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation

Article 12 – paragraph 1 – point a

Text proposed by the Commission

(a) develop **common** guidelines for use by Member States, including guidance for inspections in cases with a cross-border dimension, as well as **shared** definitions and **common** concepts, building on relevant work at the Union level;

Amendment

(a) develop **non-binding** guidelines for use by Member States, including guidance for inspections in cases with a cross-border dimension, as well as **non-binding** definitions and concepts, building on relevant work at the Union level; **the Authority does not have any regulatory powers or interpretation capacity, and respects the division of powers as enshrined in the Treaty.**

Or. en

Amendment 109

Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation

Article 13 – paragraph 2

Text proposed by the Commission

2. Upon request of one of the Member States concerned by a dispute, the Authority shall launch a mediation procedure before its Mediation Board set up for this purpose in accordance with Article 17(2). The Authority may also launch a mediation procedure **on its own initiative** before the Mediation Board, **including** on the basis of a referral from SOLVIT, subject to the agreement of all Member States concerned by that dispute.

Amendment

2. Upon request of one of the Member States concerned by a dispute, the Authority shall launch a mediation procedure before its Mediation Board set up for this purpose in accordance with Article 17(2). The **use of the mediation procedure shall remain voluntary for the Member States involved. The** Authority may also launch a mediation procedure before the Mediation Board on the basis of a referral from SOLVIT, subject to the agreement of all Member States concerned by that dispute.

Or. en

Amendment 110

Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Article 13 – paragraph 3

Text proposed by the Commission

3. When presenting a case for mediation by the Authority, Member States shall ensure that all personal data related to that case is anonymised and the Authority shall not process the personal data of individuals concerned by the case at any point in the course of the mediation procedure.

Amendment

3. When presenting a case for mediation by the Authority, Member States shall ensure that all personal data related to that case is anonymised and the Authority shall not process the personal data of individuals concerned by the case at any point in the course of the mediation procedure. ***Personal data shall only be kept for as long as they are necessary for the purposes for which the personal data are processed.***

Or. en

Amendment 111
Kostas Chrysogonos

Proposal for a regulation
Article 13 – paragraph 3

Text proposed by the Commission

3. When presenting a case for mediation by the Authority, Member States shall ensure that all personal data related to that case is anonymised and the Authority shall not process the personal data of individuals concerned by the case at any point in the course of the mediation procedure.

Amendment

3. When presenting a case for mediation by the Authority, Member States shall ensure that all personal data related to that case is anonymised and the Authority shall not process the personal data of individuals concerned by the case at any point ***and for any reason*** in the course of the mediation procedure.

Or. en

Amendment 112
Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation
Article 13 – paragraph 5

Text proposed by the Commission

Amendment

5. Within three months of the conclusion of the mediation by the Authority, the Member States concerned shall report to the Authority on measures they have taken in order to follow-up on it or on the reasons for not taking action in the event that they did not follow-up.

deleted

Or. en

Amendment 113

Helga Stevens, Anders Primdahl Vistisen

Proposal for a regulation

Article 14 – paragraph 1

Text proposed by the Commission

Amendment

At the request of the national authorities, the Authority may facilitate cooperation between relevant stakeholders in order to address labour market disruptions affecting more than one Member State, such as large-scale restructuring events or major projects impacting employment in border regions.

deleted

Or. en

Amendment 114

Csaba Sógor

Proposal for a regulation

Article 15 – paragraph 1

Text proposed by the Commission

Amendment

The Authority shall establish cooperation arrangements with other decentralised Union agencies where appropriate.

The Authority shall establish cooperation arrangements with other decentralised Union agencies where appropriate, ***in particular with the agencies established in the area of employment and social policy***

as well as the agencies dealing with the areas of fight against organised crime and trafficking in human beings and severe labour exploitation;

Or. en

Amendment 115

Jean Lambert

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 16 – paragraph 1

Text proposed by the Commission

The Authority shall coordinate, develop and apply interoperability frameworks to guarantee the exchange of information between Member States and also with the Authority. Those interoperability frameworks shall be based on and supported by the European Interoperability Framework⁷⁰ and by the European Interoperability Reference Architecture referred to in Decision (EU) 2015/2240 of the European Parliament and of the Council⁷¹.

⁷⁰ Communication from the Commission to the European Parliament, the Council, the European Economic Social Committee and the Committee of the Regions: European Interoperability Framework – Implementation Strategy - COM(2017) 134 final.

⁷¹ Decision (EU) 2015/2240 of the European Parliament and of the Council of 25 November 2015 establishing a programme on interoperability solutions and common frameworks for European public administrations, businesses and

Amendment

The Authority shall coordinate, develop and apply interoperability frameworks to guarantee the exchange of information between Member States and also with the Authority. Those interoperability frameworks shall be based on and supported by the European Interoperability Framework⁷⁰ and by the European Interoperability Reference Architecture referred to in Decision (EU) 2015/2240 of the European Parliament and of the Council⁷¹. ***They shall respect the EU's data protection rules, in particular the principle of purpose limitation and the limitations to access rights.***

⁷⁰ Communication from the Commission to the European Parliament, the Council, the European Economic Social Committee and the Committee of the Regions: European Interoperability Framework – Implementation Strategy - COM(2017) 134 final.

⁷¹ Decision (EU) 2015/2240 of the European Parliament and of the Council of 25 November 2015 establishing a programme on interoperability solutions and common frameworks for European public administrations, businesses and

citizens (ISA² programme) as a means for modernising the public sector (OJ L 318, 4.12.2015, p. 1).

citizens (ISA² programme) as a means for modernising the public sector (OJ L 318, 4.12.2015, p. 1).

Or. en

Amendment 116

Jean Lambert

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 17 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The Authority may set up working groups or expert panels with representatives from Member States and/or from the Commission, or external experts following selection procedures, for the fulfilment of its specific tasks or for specific policy areas, including a Mediation Board in order to fulfil its tasks in accordance with Article 13 of this Regulation, and a dedicated group for the purpose of handling financial matters related to the application of Regulations (EC) No 883/2004 and (EC) No 987/2009, as referred to in Article 8(2) of this Regulation.

Amendment

The Authority may set up working groups or expert panels with representatives from Member States and/or from the Commission, ***social partners, relevant international organisations, civil society organisations*** or external experts following selection procedures, for the fulfilment of its specific tasks or for specific policy areas, including a Mediation Board in order to fulfil its tasks in accordance with Article 13 of this Regulation, and a dedicated group for the purpose of handling financial matters related to the application of Regulations (EC) No 883/2004 and (EC) No 987/2009, as referred to in Article 8(2) of this Regulation.

Or. en

Amendment 117

Kostas Chrysogonos

Proposal for a regulation

Article 17 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The Authority may set up working groups or expert panels with representatives from

Amendment

The Authority may set up working groups or expert panels with representatives from

Member States and/or from the Commission, or external experts following selection procedures, for the fulfilment of its specific tasks or for specific policy areas, including a Mediation Board in order to fulfil its tasks in accordance with Article 13 of this Regulation, and a dedicated group for the purpose of handling financial matters related to the application of Regulations (EC) No 883/2004 and (EC) No 987/2009, as referred to in Article 8(2) of this Regulation.

Member States and/or from the Commission, or external experts *or social partners* following selection procedures, for the fulfilment of its specific tasks or for specific policy areas, including a Mediation Board in order to fulfil its tasks in accordance with Article 13 of this Regulation, and a dedicated group for the purpose of handling financial matters related to the application of Regulations (EC) No 883/2004 and (EC) No 987/2009, as referred to in Article 8(2) of this Regulation.

Or. en

Amendment 118
Kostas Chrysogonos

Proposal for a regulation
Article 18 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Members of the Management Board representing their Member States and their alternates shall be appointed by their respective Member States in light of their knowledge in the fields referred to in Article 1(2), taking into account relevant managerial, administrative and budgetary skills.

Amendment

Members of the Management Board representing their Member States and their alternates shall be appointed by their respective Member States in light of their knowledge in the fields referred to in Article 1(2) *and on the basis of merit*, taking into account relevant *experience*, managerial, administrative and budgetary skills.

Or. en

Amendment 119
Jean Lambert
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 18 – paragraph 5

Text proposed by the Commission

5. Representatives from third countries, which are applying the Union law in areas covered by this Regulation, may participate in the meetings of the Management Board as observers.

Amendment

5. Representatives from third countries, which are applying the Union law in areas covered by this Regulation, **as well as representatives from the ILO and the European Parliament**, may participate in the meetings of the Management Board as observers.

Or. en

Amendment 120
Kostas Chrysogonos

Proposal for a regulation
Article 21 – paragraph 4

Text proposed by the Commission

4. The Management Board shall convene meetings with the Stakeholder Group at least **once** a year.

Amendment

4. The Management Board shall convene meetings with the Stakeholder Group at least **twice** a year.

Or. en

Amendment 121
Jean Lambert
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 24 – paragraph 3

Text proposed by the Commission

3. The Stakeholder Group shall be chaired by **the Executive Director** and shall meet at least twice a year **on the initiative of the Executive Director or at the request of the Commission**.

Amendment

3. The Stakeholder Group shall be chaired by **one of its members on a rotational basis** and shall meet at least twice a year.

Or. en

Amendment 122

Jean Lambert

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 24 – paragraph 4

Text proposed by the Commission

4. The Stakeholder Group shall be composed of *six* representatives of Union-level social partners equally representing trade unions and employer's organisations, and two representatives of the Commission.

Amendment

4. The Stakeholder Group shall be composed of *eight* representatives of Union-level social partners equally representing trade unions and employer's organisations, *four representatives of relevant civil society organisations, one representative of the ILO* and two representatives of the Commission.

Or. en

Amendment 123

Kostas Chrysogonos

Proposal for a regulation

Article 24 – paragraph 4

Text proposed by the Commission

4. The Stakeholder Group shall be composed of *six* representatives of Union-level social partners equally representing trade unions and employer's organisations, and two representatives of the Commission.

Amendment

4. The Stakeholder Group shall be composed of *nine distinguished* representatives of Union-level social partners equally representing trade unions and employer's organisations, and two representatives of the Commission.

Or. en

Amendment 124

Kostas Chrysogonos

Proposal for a regulation

Article 38 – paragraph 4

Text proposed by the Commission

4. Without prejudice to paragraphs 1, 2 and 3, cooperation agreements with third countries and international organisations, contracts, grant agreements and grant decisions of the Authority shall contain provisions expressly empowering the European Court of Auditors and OLAF to conduct such audits and investigations, according to their respective competences.

Amendment

4. Without prejudice to paragraphs 1, 2 and 3, cooperation agreements with third countries and international organisations, contracts, grant agreements and grant decisions of the Authority shall contain provisions expressly empowering the **EPPO**, European Court of Auditors and OLAF to conduct such audits and investigations, according to their respective competences.

Or. en

Amendment 125

Jean Lambert

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 43 – paragraph 1 – subparagraph 2

Text proposed by the Commission

To that end, the Authority may, subject to prior approval by the Commission, establish working arrangements with the authorities of third countries. Those arrangements shall not create legal obligations incumbent on the Union and its Member States.

Amendment

To that end, the Authority may, subject to prior approval by the Commission, establish working arrangements with the authorities of third countries. Those arrangements shall not create legal obligations incumbent on the Union and its Member States ***and shall not include the possibility of exchanging personal data.***

Or. en