

(English version)

**Question for written answer E-003585/21**  
**to the Commission**  
**David McAllister (PPE)**  
(14 July 2021)

*Subject:* A1 certificate in connection with the posting of workers

The posting of workers within the internal market necessitates the issuing of an A1 certificate (certificate concerning the applicable rules) for every cross-border activity, even in the case of a stay of only a few hours. This certificate must be applied for in advance and posted workers must have it with them at all times. It ensures that employers do not have to pay social security contributions more than once when they post workers abroad and that workers do not have to leave their own country's social security system temporarily.

The basic idea behind the A1 certificate is a good one. However, everyday experience with the system shows that red tape is the enemy of speed and flexibility. A workable solution is needed, therefore, which both guards against abuses of the system and consists of unbureaucratic procedures most of which can be completed online.

I would therefore like to ask the following questions:

1. Is the Commission planning to introduce a single EU-wide online registration platform to simplify the application process?
2. Will it in future allow workers to undertake duty travel and business trips of up to one week's duration without insisting on registration and the submission of further documents?
3. How does it intend to combat effectively undeclared work and social dumping in connection with the posting of workers?

**Answer given by Mr Schmit on behalf of the European Commission**  
(15 September 2021)

1. In the context of the ongoing revision of Regulations (EC) No 883/2004 and 987/2009 <sup>(1)</sup>, the Commission stands ready to explore further ways of improving the digitisation of social security coordination. The Commission recalls that the regulation establishing the single digital gateway <sup>(2)</sup> should also apply in the context of the Portable Document (PD) A1. By 12 December 2023 at the latest, Member States should ensure that requests for the determination of applicable legislation can be completed fully online, and the decision is transmitted to the citizen via digital means.
2. The provisional agreement reached between the co-legislators on the abovementioned Regulations in March 2019 <sup>(3)</sup> included an exception for business trips where, in specific cases, the person concerned would be exempted from the obligations of prior notification and holding a PD A1. The Commission supported this exception, which it considers could contribute towards the simplification of the rules for certain categories of posting activities. However, the legislative process concerning this file is still ongoing.
3. The enforcement Directive 2014/67/EU aims to strengthen the practical application of the posting of workers rules by addressing issues related to fraud, circumvention of rules, inspections and monitoring and exchange of information between the Member States. In June and July 2021 the Commission has sent Letters of Formal Notice and Reasoned Opinions <sup>(4)</sup> to Member States to ensure that the Posting of Workers Directives <sup>(5)</sup> are correctly transposed and applied.

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<sup>(1)</sup> COM(2016) 815 final, available at:

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52016PC0815>

<sup>(2)</sup> Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012, OJ L 295, 21.11.2018, p. 1-38.

<sup>(3)</sup> <https://data.consilium.europa.eu/doc/document/ST-7698-2019-ADD-1-REV-1/en/pdf>

<sup>(4)</sup> 24 Letters of formal notice were sent for non-conformity with the directive 2014/67/EU, to all the Member States except Spain, Sweden and Portugal; 2 Reasoned Opinions for non-communication of national measures of transposition of Directive (EU) 2018/957 were sent to Austria and Slovenia, see also: [https://ec.europa.eu/atwork/applying-eu-law/infringements-proceedings/infringement\\_decisions/?lang\\_code=en](https://ec.europa.eu/atwork/applying-eu-law/infringements-proceedings/infringement_decisions/?lang_code=en)

<sup>(5)</sup> The enforcement Directive 2014/67/EU, the directive (EU) 2018/957 amending Directive 96/71/EC.