

8.12.2010

A7-0265/79

Amendment 79

Véronique Mathieu, Ria Oomen-Ruijten
on behalf of the PPE Group

Report

A7-0265/2010

Véronique Mathieu

Single application procedure for residence and work
COM(2007)0638 – C6-0470/2007 – 2007/0229(COD)

Proposal for a directive

Recital 6

Text proposed by the Commission

Amendment

(6) The conditions and criteria on the basis of which an application for a single permit can be rejected *is* laid down in national law including the obligation to respect the principle of Community preference as expressed in particular in the relevant provisions of the Acts of Accession of 16 April 2003 and 25 April 2005.

(6) The conditions and criteria on the basis of which an application for a single permit can be rejected ***should be objective and*** laid down in national law including the obligation to respect the principle of Community preference as expressed in particular in the relevant provisions of the Acts of Accession of 16 April 2003 and 25 April 2005. ***Any rejection decision should be duly reasoned.***

Or. en

8.12.2010

A7-0265/80

Amendment 80

Véronique Mathieu, Ria Oomen-Ruijten

on behalf of the PPE Group

Report

A7-0265/2010

Véronique Mathieu

Single application procedure for residence and work

COM(2007)0638 – C6-0470/2007 – 2007/0229(COD)

Proposal for a directive

Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) The provisions in this Directive on residence permits for purposes other than work should apply only to the format of such permits and should be without prejudice to national or to Union rules on admission procedures and on procedures for issuing such permits.

Or. en

8.12.2010

A7-0265/81

Amendment 81
Véronique Mathieu, Ria Oomen-Ruijten
on behalf of the PPE Group

Report
Véronique Mathieu
Single application procedure for residence and work
COM(2007)0638 – C6-0470/2007 – 2007/0229(COD)

A7-0265/2010

Proposal for a directive
Recital 7 b (new)

Text proposed by the Commission

Amendment

(7b) The provisions of this Directive are without prejudice to the competence of the Member States to regulate the admission, including volumes of admission for third-country nationals for the purpose of employment.

Or. en

8.12.2010

A7-0265/82

Amendment 82

Véronique Mathieu, Ria Oomen-Ruijten
on behalf of the PPE Group

Report

A7-0265/2010

Véronique Mathieu

Single application procedure for residence and work
COM(2007)0638 – C6-0470/2007 – 2007/0229(COD)

Proposal for a directive

Recital 9

Text proposed by the Commission

Amendment

(9) In the absence of horizontal **community** legislation, the rights of third-country nationals vary, depending on the Member State in which they work and on their nationality. ***They do not have the same rights as nationals of the Member State, or other EU citizens.*** With a view to ***pursue*** a further development of a coherent immigration policy, ***to lower*** the rights gap between EU citizens and third-country nationals legally working and complementing the existing immigration acquis a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member ***States*** but not yet *long term* residents. Such provisions are intended to establish a level playing field within the EU, to *recognize* that such third-country nationals legally working in a Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from possible exploitation of the latter.

(9) In the absence of horizontal **Union** legislation, the rights of third-country nationals vary, depending on the Member State in which they work and on their nationality. With a view to ***pursuing*** a further development of a coherent immigration policy ***and narrowing*** the rights gap between EU citizens and third-country nationals legally working and complementing the existing immigration acquis, a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member ***State*** but not yet *long-term* residents. Such provisions are intended to establish a ***minimum*** level playing field within the EU, to *recognise* that such third-country nationals legally working in Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from possible exploitation of the latter.

Or. en

8.12.2010

A7-0265/83

Amendment 83

Véronique Mathieu, Ria Oomen-Ruijten

on behalf of the PPE Group

Report

A7-0265/2010

Véronique Mathieu

Single application procedure for residence and work
COM(2007)0638 – C6-0470/2007 – 2007/0229(COD)

Proposal for a directive

Recital 13

Text proposed by the Commission

Amendment

(13) Third-country nationals who have been admitted to the territory of a Member State ***for a period not exceeding 6 months in any twelve-month period*** to work on a seasonal basis should not be covered by the Directive given their temporary status.

(13) Third-country nationals who have been admitted to the territory of a Member State to work on a seasonal basis should not be covered by the Directive given their temporary status.

Or. en

8.12.2010

A7-0265/84

Amendment 84

Véronique Mathieu, Ria Oomen-Ruijten

on behalf of the PPE Group

Report

A7-0265/2010

Véronique Mathieu

Single application procedure for residence and work
COM(2007)0638 – C6-0470/2007 – 2007/0229(COD)

Proposal for a directive

Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) Working conditions in this Directive are to be understood to cover at least pay and dismissal, health and safety at the workplace, working time and leave, taking into account collective agreements in force.

Or. en

8.12.2010

A7-0265/85

Amendment 85

Véronique Mathieu, Ria Oomen-Ruijten

on behalf of the PPE Group

Report

A7-0265/2010

Véronique Mathieu

Single application procedure for residence and work
COM(2007)0638 – C6-0470/2007 – 2007/0229(COD)

Proposal for a directive

Recital 15

Text proposed by the Commission

Amendment

(15) Professional qualifications acquired by a third-country national in another Member **States** should be recognised the same way as for Union citizens and qualifications acquired in a third country should be taken into account in conformity with the provisions of Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications.

(15) Professional qualifications acquired by a third-country national in another Member **State** should be recognised the same way as for Union citizens and qualifications acquired in a third country should be taken into account in conformity with the provisions of Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications. ***The right to equal treatment accorded to third-country workers as regards recognition of diplomas, certificates and other professional qualifications in accordance with the relevant national procedures is without prejudice to the competence of Member States to admit those third-country workers to their labour market.***

Or. en

Amendment 86

Véronique Mathieu, Ria Oomen-Ruijten
on behalf of the PPE Group

Report

A7-0265/2010

Véronique Mathieu

Single application procedure for residence and work
COM(2007)0638 – C6-0470/2007 – 2007/0229(COD)

Proposal for a directive**Recital 16***Text proposed by the Commission**Amendment*

(16) Third-country ***nationals who work in the territory of a Member State*** should enjoy equal treatment as regards social security. Branches of social security are defined in ***the Council Regulation (EEC) 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 Community¹. Council Regulation (EC) No 859/2003 of 14 May 2003 extending the provisions of Regulation (EEC) No 1408/71 and Regulation (EEC) No 574/72 to nationals of third countries who are not already covered by those provisions solely on the ground of their nationality² extends the provisions of Regulation (EEC) No 1408/71 to third country nationals who are legally residing in the European Union and who are in a cross-border situation***. The provisions on equal treatment concerning social security in this ***proposal*** also apply to ***persons*** coming to a Member State directly from a third country. Nevertheless, this Directive should not confer more rights than those already provided in existing ***Community*** legislation in the field of social security for third-country nationals who have cross-border elements between Member States.

(16) Third-country ***workers*** should enjoy equal treatment as regards social security. Branches of social security are defined in ***Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems¹***. The provisions on equal treatment concerning social security in this ***Directive*** also apply to ***workers*** coming to a Member State directly from a third country. Nevertheless, this Directive should not confer ***on third-country workers*** more rights than those already provided in ***the*** existing ***Union*** legislation in the field of social security for third-country nationals who have cross-border elements between Member States. ***This Directive, furthermore, should not grant rights in relation to situations which lie outside the scope of Union legislation, for example family members residing in a third country. This Directive grants rights only in relation to those family members who join the third-country worker to reside in any Member State on the basis of family reunification or to those family members who already reside legally in the given Member State.***

¹ *OJL 149, 5.7.1971, p. 2.*
² *OJL 124, 20.5.2003, p. 1.*

¹ *OJL 166, 30.4.2004, p. 1.*

Or. en

8.12.2010

A7-0265/87

Amendment 87
Véronique Mathieu, Ria Oomen-Ruijten
on behalf of the PPE Group

Report
Véronique Mathieu
Single application procedure for residence and work
COM(2007)0638 – C6-0470/2007 – 2007/0229(COD)

A7-0265/2010

Proposal for a directive
Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) Member States should at least give equal treatment to those third-country nationals who are in employment or who after a minimum period of employment are registered as unemployed. Any restrictions to the equal treatment in the field of social security under this Directive should be without prejudice to the rights conferred in application of Council Regulation ...¹.

¹ Reference to the following instrument to be updated on adoption: Council Regulation extending the provisions of Regulation (EC) No 883/2004 and Regulation (EC) No 987/200 to nationals of third countries who are not already covered by these provisions solely on the ground of their nationality.

Or. en

8.12.2010

A7-0265/88

Amendment 88

Véronique Mathieu, Ria Oomen-Ruijten

on behalf of the PPE Group

Report

A7-0265/2010

Véronique Mathieu

Single application procedure for residence and work
COM(2007)0638 – C6-0470/2007 – 2007/0229(COD)

Proposal for a directive

Recital 16 b (new)

Text proposed by the Commission

Amendment

(16b) Equal treatment of third-country workers does not cover measures in the field of vocational training which are financed under social assistance schemes.

Or. en