

17.4.2024

A9-0156/95

**Amendment 95**

**Virginie Joron**

on behalf of the ID Group

**Report**

**A9-0156/2024**

**Róza Thun und Hohenstein**

Combating late payment in commercial transactions

(COM(2023)0533 – C9-0338/2023 – 2023/0323(COD))

**Proposal for a regulation**

**Article 1 – paragraph 3 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(a a) payments made for goods and services benefiting from Article 164 of Directive 2006/112/EC and exported to third countries;***

Or. en

17.4.2024

A9-0156/96

**Amendment 96**

**Virginie Joron**

on behalf of the ID Group

**Report**

**A9-0156/2024**

**Róza Thun und Hohenstein**

Combating late payment in commercial transactions  
(COM(2023)0533 – C9-0338/2023 – 2023/0323(COD))

**Proposal for a regulation**

**Article 3 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1 a. In commercial transactions between undertakings, where expressly agreed in the contract, the payment period referred to in paragraph 1 may be extended up to the end of the month in which the 45th day after the date of the invoice falls, or 60 calendar days.***

Or. en

17.4.2024

A9-0156/97

### **Amendment 97**

**Virginie Joron**

on behalf of the ID Group

### **Report**

**A9-0156/2024**

**Róża Thun und Hohenstein**

Combating late payment in commercial transactions  
(COM(2023)0533 – C9-0338/2023 – 2023/0323(COD))

### **Proposal for a regulation**

#### **Article 3 – paragraph 3**

##### *Text proposed by the Commission*

3. Where the contract provides for a procedure of acceptance or verification, in accordance with paragraph 2, the maximum duration of that procedure shall not exceed 30 calendar days from the date of receipt of the goods or services by the debtor, even if such goods or services are supplied prior to the issuance of the invoice or an equivalent request for payment. In this case, the debtor shall initiate the procedure for acceptance or verification immediately upon reception from the creditor of the goods and/or the services that are the object of the commercial transaction. The payment period ***shall not exceed 30 calendar days after such procedure has taken place.***

##### *Amendment*

3. Where the contract provides for a procedure of acceptance or verification, in accordance with paragraph 2, the maximum duration of that procedure shall not exceed 30 calendar days from the date of receipt of the goods or services by the debtor, even if such goods or services are supplied prior to the issuance of the invoice or an equivalent request for payment. In this case, the debtor shall initiate the procedure for acceptance or verification immediately upon reception from the creditor of the goods and/or the services that are the object of the commercial transaction. The ***procedure of acceptance or verification shall not result in a change in the duration of the payment period or the starting point of the period unless this has been expressly agreed in the contract and does not constitute an abuse of the buyer or the seller.***

Or. en

**Amendment 98****Virginie Joron**

on behalf of the ID Group

**Report****A9-0156/2024****Róża Thun und Hohenstein**Combating late payment in commercial transactions  
(COM(2023)0533 – C9-0338/2023 – 2023/0323(COD))**Proposal for a regulation****Article 4 – paragraph 1***Text proposed by the Commission**Amendment*

1. For public works contracts falling within the scope of Directives 2014/23/EU, 2014/24/EU, 2014/25/EU, and 2009/81/EC<sup>56</sup> of the European Parliament and of the Council, contractors shall provide evidence to contracting authorities or contracting entities within the meaning of those Directives that, where applicable, they have paid their direct subcontractors involved in the execution of the contract within the deadlines and under the conditions set out in this Regulation. The evidence may take the form of a written declaration by the contractor and shall be provided by the contractor to the contracting authority or contracting entity prior to, or at the latest together with, any request for payment.

1. For public works contracts falling within the scope of Directives 2014/23/EU, 2014/24/EU, 2014/25/EU, and 2009/81/EC<sup>56</sup> of the European Parliament and of the Council, contractors shall provide evidence to contracting authorities or contracting entities within the meaning of those Directives that, where applicable, they have paid their direct subcontractors involved in the execution of the contract within the deadlines and under the conditions set out in this Regulation. The evidence may take the form of a written declaration by the contractor and shall be provided by the contractor to the contracting authority or contracting entity prior to, or at the latest together with, any request for payment. ***Member States may provide for public authorities making direct payments to direct subcontractors in public procurement processes.***

---

<sup>56</sup> Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC.

---

<sup>56</sup> Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC.

