

WRITTEN QUESTION E-0454/05
by Ingo Schmitt (PPE-DE)
to the Commission

Subject: Distortions of competition on the European aviation market caused by the circumvention of provisions on temporary workers

The airline 'Air Atlanta' uses the services of an employment agency based in Guernsey (Channel Islands) in order to lease out workers, within the company, to its daughter companies 'Air Atlanta Icelandic' and 'Air Atlanta Deutschland Service GmbH' and thereby circumvent the AÜG (law on temporary agency work) and avoid having to pay social security contributions. The resulting advantage leads to a distortion of competition, which prompts competitors based in the Community to circumvent the law too and use aircraft under 'flags of convenience' and let companies outside Europe take over routes under so-called ACMI contracts.

To what extent does the Commission feel itself able to combat this competitive disadvantage for airlines in the European Union? In particular, can European and national aviation authorities be encouraged to take into account non-compliance with social legislation when granting licences or authorising airlines to fly into EU territory? What other possibilities does the Commission see for taking action against airlines outside Europe that circumvent European social legislation in order to obtain competitive advantages?