



EUROPEAN PARLIAMENT

2009 - 2014

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*Committee on Economic and Monetary Affairs*

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**2009/2222(INI)**

23.3.2011

## **OPINION**

of the Committee on Economic and Monetary Affairs

for the Committee on Employment and Social Affairs

on the future for social services of general interest  
(2009/2222(INI))

Rapporteur: Sophie Auconie

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## SUGGESTIONS

The Committee on Economic and Monetary Affairs calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Given that social services of general interest (SSGI) make a major contribution to the achievement of the EU's goals, as enshrined in the Treaties, particularly in terms of promoting economic, social and territorial cohesion, calls on the Commission to use the evaluation and revision of the Monti-Kroes package to continue its efforts to clarify and monitor the application of Community rules in the field of SSGI, using a tailored approach which can easily be applied by organising public authorities and takes into account the specific ways in which social services are organised, their legal status and their strongly local nature, as well as the responsibility of the Member States for organising and financing these services;
2. Stresses that the organisation of SSGI in the Member States has come about through a process of historical development and is the outcome of different cultural traditions, so that it is neither possible nor desirable to create a one-size-fits-all European model, and instead a flexible approach should be adopted, which, while respecting the principle of subsidiarity, must have due regard for regional and local authorities' right to local self-government and allow sufficient scope for specific developments in accordance with the differing organisational forms employed in the Member States;
3. Considers that a single EU framework regulation on all services of general interest is not the proper instrument to establish legal certainty in this field;
4. Calls on the Commission to adopt an indicative document establishing a methodology for organising local authorities which sets out guidelines for applying European rules; considers it worthwhile, in this context, to provide more training for local authorities in order to eliminate legal uncertainty in procurement procedures;
5. Calls on the Commission to consider the advisability of putting forward a de minimis regulation specific to SSGI or to adjust the de minimis threshold for such services, in order to focus EU checks on State aid on social services likely to have a significant impact on cross-border trade within the EU;
6. Calls on the Commission to consider the advisability of extending the scope of the exemption of notification without thresholds to other SSGI sectors, in the light of the considerations that led to the current exemption of notification for hospital and social housing sectors and taking into account the fact that, at this stage of the development of the internal market, the intensity of the distortion of competition in these sectors is not necessarily proportional to revenues and the amount of compensation; calls on the Commission to exempt from the notification requirement subsidies granted under the terms of contracts concluded as a result of competitive tendering; taking into account the fact that existing alternatives to competitive tendering (in house, authorisation schemes, mandating,

etc.) can be more readily tailored to the specific characteristics of SSGI;

7. Calls on the Commission to direct Member States to use competitive tendering only in the case of services for which genuine and natural market supply and demand exist, because competitive tendering for services for which there is no genuine and natural market gives rise to unnecessary costs and administrative burdens;
8. Calls on the Commission to clarify how the concepts of economic and non-economic activities and effects on trade are to be applied to SSGI and the specific arrangements for applying the concept of the 'level of compensation needed (...) on the basis of an analysis of the costs which a typical undertaking, well run and adequately provided with means of transport (...) would have incurred' (CJEU judgment in Case C-280/00, Altmark);
9. Stresses that the act of entrustment is a guarantee of transparency which has to be retained; asks the Commission to consider whether the rules governing entrustment and monitoring of overcompensation are appropriate to the characteristics of social services and to take action if they are deemed not to be; stresses that the scope for mandating (act of entrustment) should be enhanced, in particular by means of the more flexible application of the rules;
10. Given that SSGI are person-oriented services, and that they address the needs of the most disadvantaged people in society, thus enabling individuals to play a significant part in economic and social life (Council conclusions of 6/7 December 2010), takes the view that basic banking services should be regarded as services of general economic interest and made subject to universal service obligations in order to guarantee accessibility, affordability, transparency and a high degree of quality;
11. Asks the Commission to put forward legislative proposals concerning project bonds with a view to guaranteeing long-term and affordable financing for EU-relevant and sustainable services of general economic interest, particularly in the fields of social housing (as regards energy efficiency in building renovation) and the renovation of public buildings;
12. Stresses that calculations of compensation should not be performed exclusively on the basis of economic and financial criteria, but should also take account of social criteria;
13. Looks forward to the results of the evaluation of the Monti-Kroes package, which will demonstrate if and where further adjustment is needed.

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	16.3.2011
<b>Result of final vote</b>	+:           26 -:           6 0:           1
<b>Members present for the final vote</b>	Burkhard Balz, Sharon Bowles, Udo Bullmann, Pascal Canfin, Nikolaos Chountis, George Sabin Cutaş, Leonardo Domenici, Derk Jan Eppink, Diogo Feio, Vicky Ford, Ildikó Gáll-Pelcz, José Manuel García-Margallo y Marfil, Jean-Paul Gauzès, Sven Giegold, Sylvie Goulard, Liem Hoang Ngoc, Wolf Klinz, Philippe Lamberts, Astrid Lulling, Íñigo Méndez de Vigo, Ivari Padar, Antolín Sánchez Presedo, Edward Scicluna, Peter Simon, Peter Skinner, Theodor Dumitru Stolojan, Ivo Strejček, Marianne Thyssen, Corien Wortmann-Kool
<b>Substitute(s) present for the final vote</b>	Sophie Auconie, Elena Băsescu, Saïd El Khadraoui, Danuta Jazłowiecka, Olle Ludvigsson, Thomas Mann, Sirpa Pietikäinen, Catherine Stihler