



2022/0278(COD)

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AMENDMENTS

47 - 293

Draft opinion

Marc Angel

(PE745.211v01-00)

Establishing a Single Market emergency instrument and repealing Council
Regulation No (EC) 2679/98

Proposal for a regulation

(COM(2022)0459 – C9-0315/2022 – 2022/0278(COD))

Amendment 47
Miriam Lexmann

Proposal for a regulation
Title 1

Text proposed by the Commission

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
establishing *a Single* Market emergency
instrument and repealing Council
Regulation No (EC) 2679/98
(Text with EEA relevance)

Amendment

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
establishing *an internal* market emergency
and resilience act and repealing Council
Regulation No (EC) 2679/98
(Text with EEA relevance)

Or. en

Amendment 48
Kim Van Sparrentak
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) Past crises, especially the early days of the COVID-19 pandemic, have shown that the internal market (also referred to as the Single Market and its supply chains can be severely affected by such crises, and appropriate crisis management tools and coordination mechanisms are either lacking, do not cover all aspects of the Single market or do not allow for a timely response to such impacts.

Amendment

(1) Past crises, especially the early days of the COVID-19 pandemic, have shown that the internal market (also referred to as the Single Market) and its supply chains, *businesses, workers and consumers* can be severely affected by such crises, and appropriate crisis management tools and coordination mechanisms are either lacking, do not cover all aspects of the Single market, or do not allow for a timely response to such impacts. *In many cases distorted as well as crisis-relevant sectors depended on cross-border and mobile workers. These workers played an essential role at the frontline of the crisis, but were often left behind without adequate protection when exercising their freedom of movement.*

Or. en

Amendment 49
Abir Al-Sahlani

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) Past crises, especially the early days of the COVID-19 pandemic, have shown that the internal market (also referred to as the Single Market **and its supply chains**) can be severely affected by such crises, **and** appropriate crisis management tools and coordination mechanisms are either lacking, do not cover all aspects of the Single market or do not allow for a timely response to such impacts.

Amendment

(1) Past crises, especially the early days of the COVID-19 pandemic, have shown that the internal market (also referred to as the Single Market) can be severely affected by such crises, **that the free movement of goods, services and people are not sufficiently safeguarded despite being laid down in Treaties and that** appropriate, **harmonised** crisis management tools and coordination mechanisms are either lacking, **legally unclear**, do not cover all aspects of the Single Market or do not allow for a timely response to such impacts **which can further exacerbate such crises' impacts**.

Or. en

Amendment 50
Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) Past crises, especially the early days of the COVID-19 pandemic, have shown that the internal market (also referred to as the Single Market **and its** supply chains) can be severely affected by such crises, **and** appropriate crisis management tools and coordination mechanisms are either lacking, do not cover all aspects of the Single market or do not allow for a timely response to such impacts.

Amendment

(1) Past crises, especially the early days of the COVID-19 pandemic, have shown that the internal market (also referred to as the Single Market), its supply chains **and workers** can be severely affected by such crises, **and** appropriate crisis management tools and coordination mechanisms are either lacking, do not cover all aspects of the Single market or do not allow for a timely response to such impacts; **a response protecting private profits resulted in abuses of workers'**

rights and a lack of protection and support, impacting especially cross-border and mobile workers..

Or. en

Amendment 51
Miriam Lexmann

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) Past crises, especially the early days of the COVID-19 pandemic, have shown that the internal market *(also referred to as the Single Market)* and its supply chains can be severely affected by such crises, and appropriate crisis management tools and coordination mechanisms are either lacking, do not cover all aspects of the Single market or do not allow for a timely response to such impacts.

Amendment

(1) Past crises, especially the early days of the COVID-19 pandemic, have shown that the internal market and its supply chains can be severely affected by such crises and *unilateral uncoordinated response decisions of individual Member States, while* appropriate crisis management tools and coordination mechanisms are either lacking, do not cover all aspects of the Single market or do not allow for a timely *and effective* response to such impacts.

Or. en

Amendment 52
Miriam Lexmann

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1 a) During the COVID-19 pandemic, cross-border workers were particularly affected by uncoordinated measures restricting free movement of persons. These workers did not receive an adequate support at the beginning of the crisis, faced vast administrative burden and lack of information on the measures or their duration;

Amendment 53
Miriam Lexmann

Proposal for a regulation
Recital 1 b (new)

Text proposed by the Commission

Amendment

(1 b) Restrictions to the free movement of persons imposed during the COVID-19 pandemic exacerbated legal obstacles faced by workers working in another Member State than the Member State of their nationality or their or their family's residence who can conduct their tasks remotely. These workers were forced to spend months in the Member State of their employer without the possibility to go to their country of nationality or residence due to the travel restrictions and legal obstacles preventing them to work remotely from their country of nationality or residence.

Or. en

Amendment 54
Miriam Lexmann

Proposal for a regulation
Recital 2

Text proposed by the Commission

Amendment

(2) The Union was not sufficiently prepared to ensure efficient manufacturing, procurement and distribution of crisis-relevant non-medical goods such as personal protective equipment, especially in the early phase of the COVID-19 pandemic and the ad-hoc measures taken by the Commission in order to re-establish the functioning of the Single Market and to ensure the availability of crisis-relevant

(2) The Union was not sufficiently prepared to ensure efficient manufacturing, procurement and distribution of crisis-relevant non-medical goods such as personal protective equipment, especially in the early phase of the COVID-19 pandemic and the ad-hoc measures taken by the Commission in order to re-establish the functioning of the Single Market and to ensure the availability of crisis-relevant

non-medical goods during the COVID-19 pandemic were necessarily reactive. The pandemic also revealed insufficient overview of manufacturing capacities across the Union as well as vulnerabilities related to the global supply chains.

non-medical goods during the COVID-19 pandemic were necessarily reactive. The pandemic also revealed insufficient overview of manufacturing capacities across the Union as well as vulnerabilities related to the global supply chains ***including lack of resilience and dependency on authoritarian regimes.***

Or. en

Amendment 55

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) Actions by the Commission were delayed by several weeks due to the lack of any Union wide contingency planning measures and ***of clarity*** as to which part of the national administration to contact to find rapid solutions to the impact on the Single Market being caused by the crisis. In addition it became clear that uncoordinated restrictive actions taken by the Member States would further aggravate the impacts of the crisis on the Single market. It emerged that there is a need for arrangements between the Member States and Union authorities as regards contingency planning, technical level coordination and cooperation and information exchange.

Amendment

(3) Actions by the Commission were delayed by several weeks due to the lack of any Union wide contingency planning measures and ***of clarity*** as to which part of the national administration to contact to find rapid solutions to the impact on the Single Market being caused by the crisis. In addition it became clear that uncoordinated restrictive actions taken by the Member States would further aggravate the impacts of the crisis on the Single market. It emerged that there is a need for arrangements between the Member States and Union authorities as ***well as stakeholders and social partners as*** regards contingency planning, technical level coordination and cooperation and information exchange. ***Social partner organisations play a key role in the elaboration and implementation of emergency measures, including when it comes to dissemination of relevant information to workers and economic operators on the ground.***

Or. en

Amendment 56
Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) Actions by the Commission were delayed by several weeks due to the lack of any Union wide contingency planning measures and of clarity as to which part of the national administration to contact to find rapid solutions to the impact on the Single Market being caused by the crisis. In addition it became clear that uncoordinated restrictive actions taken by the Member States would further aggravate the impacts of the crisis on the Single market. It emerged that there is a need for arrangements between the Member States and Union authorities as regards contingency planning, technical level coordination and cooperation and information exchange.

Amendment

(3) Actions by the Commission were delayed by several weeks due to the lack of any Union wide contingency planning measures and of clarity as to which part of the national administration to contact to find rapid solutions to the impact on the Single Market being caused by the crisis. In addition it became clear that uncoordinated restrictive actions taken by the Member States would further aggravate the impacts of the crisis on the Single market. It emerged that there is a need for arrangements between the Member States and Union authorities as regards contingency planning, technical level coordination and cooperation and information exchange; ***trade unions played an essential role to protect workers' rights during the implementation of such measures and should be able to participate fully in their design and implementation*** .

Or. en

Amendment 57
Miriam Lexmann

Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) Actions by the Commission were delayed by several weeks due to the lack of any Union wide contingency planning measures and ***of clarity*** as to which part of the national administration to contact to find rapid solutions to the impact on the Single Market being caused by the crisis. In

Amendment

(3) Actions by the Commission were delayed by several weeks due to the lack of any Union wide contingency planning measures and ***of clarity*** as to which part of the national administration to contact to find rapid solutions to the impact on the Single Market being caused by the crisis. In

addition it became clear that uncoordinated restrictive actions taken by the Member States would further aggravate the impacts of the crisis on the Single market. It emerged that there is a need for **arrangements** between the Member States and Union authorities as regards contingency planning, technical level coordination and cooperation and information exchange.

addition it became clear that uncoordinated restrictive actions taken by the Member States would further aggravate the impacts of the crisis on the Single market. It emerged that there is a need for **clear, transparent and predictable rules** between the Member States and Union authorities as regards contingency planning, technical level coordination and cooperation and information exchange.

Or. en

Amendment 58

Abir Al-Sahlani, Atidzhe Alieva-Veli, Dragoş Pîslaru

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) Actions by the Commission were delayed by several weeks due to the lack of any Union wide contingency planning measures and **of clarity** as to **which part** of the national administration to contact to find rapid solutions to **the impact** on the Single Market **being cause by the crisis**. In addition it became clear that uncoordinated restrictive actions taken by the Member States **would** further **aggravate** the impacts of the crisis on the Single market. It emerged that there is a need for arrangements between the Member States and Union authorities as regards contingency planning, technical level coordination and cooperation and information exchange.

Amendment

(3) Actions by the Commission were delayed by several weeks due to the lack of any Union wide contingency planning measures and **of clarity** as to **the relevant departments** of the national administration to contact to find rapid solutions to **crisis-related impacts** on the Single Market. In addition it became clear that uncoordinated restrictive actions taken by the Member States further **aggravated** the impacts of the crisis on the Single market. It emerged that there is a need for arrangements between the Member States and Union authorities as regards contingency planning, technical level coordination and cooperation and information exchange.

Or. en

Amendment 59

Abir Al-Sahlani, Atidzhe Alieva-Veli

Proposal for a regulation

Recital 3 a (new)

(3 a) Social partners played a key role in supporting coordination efforts in particular as regards the dissemination of relevant information to workers and economic operators on the ground, as well as by addressing challenges arising from a Single Market Emergency through collective bargaining. Therefore, in order to safeguard incentives for social partners to negotiate and take responsibility for well-functioning labour markets also in times of crisis, it is crucial to ensure that all relevant legislation leaves sufficient room of manoeuvre for equal national social partners to adapt, complement or deviate from legislation by way of autonomous collective bargaining;

Or. en

Amendment 60

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) Representative organisations of economic operators have suggested that ***economic operators*** did not have sufficient information on the crisis response measures of the Member States during the pandemics, partly due to not knowing where to obtain such information, partly due to language constraints ***and the administrative burden implied in making repeated inquiries in all the Member States, especially in a constantly changing regulatory environment.*** This prevented them from making informed ***business*** decisions ***as to what extent they may rely on their free movement rights or continue cross-border business operations during the crisis.*** It is necessary to improve the

Amendment

(4) Representative organisations of ***trade unions and*** economic operators have suggested that ***they*** did not have sufficient information on the crisis response measures of the Member States during the pandemics, partly due to not knowing where to obtain such information, partly due to language constraints. This prevented them from making informed decisions ***to protect workers' rights and working conditions.*** It is necessary to improve the availability of information on national and Union level crisis response measures.

availability of information on national and
Union level crisis response measures

Or. en

Amendment 61

Abir Al-Sahlan, Atidzhe Alieva-Veli

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) Representative organisations of economic operators have suggested that economic operators did not have sufficient information on the crisis response measures of the Member States during the pandemics, partly due to not knowing where to obtain such information, partly due to language constraints and the administrative burden implied in making repeated inquiries in all the Member States, especially in a constantly changing regulatory environment. This prevented them from making informed business decisions as to what extent they may rely on their free movement rights **or** continue cross-border business operations during the crisis. It is necessary to improve the availability of information on national and Union level crisis response measures

Amendment

(4) Representative organisations of economic operators, ***as well as social partners***, have suggested that economic operators ***and workers*** did not have sufficient information on the crisis response measures of the Member States during the pandemics, partly due to not knowing where to obtain such information, partly due to language constraints and the administrative burden implied in making repeated inquiries in all the Member States, especially in a constantly changing regulatory environment. This prevented them from making informed business decisions as to what extent they may rely on their free movement rights ***and/or*** continue cross-border business operations during the crisis. It is necessary to improve the availability of information on national and Union level crisis response measures, ***but most of all it is crucial that Member States refrain from imposing restrictions on free movement at any time.***

Or. en

Amendment 62

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 4

(4) Representative organisations of economic operators have suggested that economic operators did not have sufficient information on the crisis response measures of the Member States during the pandemics, partly due to not knowing where to obtain such information, partly due to language constraints and the administrative burden implied in making repeated inquiries in all the Member States, especially in a constantly changing regulatory environment. This prevented them from making informed business decisions as to what extent they may rely on their free movement rights or continue cross-border business operations during the crisis. It is necessary to improve the availability of information on national and Union level crisis response measures

(4) Representative organisations of economic operators **and social partners** have suggested that economic operators **and workers** did not have sufficient information on the crisis response measures of the Member States during the pandemics, partly due to not knowing where to obtain such information, partly due to language constraints and the administrative burden implied in making repeated inquiries in all the Member States, especially in a constantly changing regulatory environment. This prevented them from making informed business decisions as to what extent they may rely on their free movement rights or continue cross-border business operations during the crisis. It is necessary to improve the availability of information on national and Union level crisis response measures

Or. en

Amendment 63

Abir Al-Sahlan, Atidzhe Alieva-Veli

Proposal for a regulation

Recital 5

Text proposed by the Commission

Amendment

(5) These recent events have also highlighted the need for the Union to be better prepared for possible future crises, especially as we consider the continuing effects of climate change and resulting natural disasters as well as global economic and geopolitical instabilities. Given the fact that it is not known which kind of crises could come up next and produce severe impacts on the Single Market **and its supply chains** in the future, it is necessary to provide for an instrument that would apply with regards to impacts **on** the Single Market of a wide range of crises.

(5) These recent events have also highlighted the need for the Union to be better prepared for possible future crises, especially as we consider the continuing effects of climate change and resulting natural disasters as well as global economic and geopolitical instabilities. Given the fact that it is not known which kind of crises could come up next and produce severe impacts on the Single Market in the future, it is necessary to provide for an instrument that would apply with regards to impacts **disrupting** the Single Market of a wide range of crises **by safeguarding the free movement of goods,**

services and persons and which facilitates access to crisis-relevant goods and services in the Single Market.

Or. en

Amendment 64
Miriam Lexmann

Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) These recent events have also highlighted the need for the Union to be better prepared for possible future crises, especially as we consider the continuing effects of climate change and resulting natural disasters as well as global economic and geopolitical instabilities. Given the fact that it is ***not known*** which kind of ***crises*** could come up next and ***produce severe impacts on the Single Market*** and its supply chains in the future, it is necessary to provide for ***an*** instrument that would ***apply with regards to impacts on the Single Market of a wide range of crises***.

Amendment

(5) These recent events have also highlighted the need for the Union to be better prepared for possible future crises, especially as we consider the continuing effects of climate change and resulting natural disasters as well as global economic and geopolitical instabilities. Given the fact that it is ***unpredictable*** which kind of ***crisis*** could come up next and ***severely impact the internal*** market and its supply chains in the future, it is necessary to provide for ***a crisis*** instrument that would ***strengthen resilience, improve transparency, and provide clear rules for the crisis governance***.

Or. en

Amendment 65
Kim Van Sparrentak
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) These recent events have also highlighted the need for the Union to be better prepared for possible future crises, especially as we consider the ***continuing*** effects of climate change and resulting

Amendment

(5) These recent events have also highlighted the need for the Union to be better prepared for possible future crises, especially as we consider the ***aggravating*** effects of climate change and resulting

natural disasters as well as global economic and geopolitical instabilities. Given the fact that it is not known which kind of crises could come up next and produce severe impacts on the Single Market and its supply chains in the future, it is necessary to provide for an instrument that would apply with regards to impacts on the Single Market of a wide range of crises.

natural disasters as well as global economic and geopolitical instabilities. Given the fact that it is not known which kind of crises could come up next and produce severe impacts on the Single Market and its supply chains in the future, it is necessary to provide for an instrument that would apply with regards to impacts on the Single Market of a wide range of crises.

Or. en

Amendment 66

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) These recent events have also highlighted the need for the Union to be better prepared for possible future crises, especially as we consider the continuing effects of climate change and resulting natural disasters as well as global economic and geopolitical instabilities. Given the fact that it is not known which kind of crises could come up next and produce severe impacts on the Single Market and its supply chains in the future, ***it is necessary to provide for*** an instrument that would ***apply with regards to*** impacts on ***the Single Market*** of a wide range of crises.

Amendment

(5) These recent events have also highlighted the need for the Union to be better prepared for possible future crises, especially as we consider the continuing effects of climate change and resulting natural disasters as well as global economic and geopolitical instabilities. Given the fact that it is not known which kind of crises could come up next and produce severe impacts on the Single Market and its supply chains in the future, an instrument that would ***look at*** impacts on ***working classes*** of a wide range of crises ***could be useful.***

Or. en

Amendment 67

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Recital 6

(6) The impact of a crisis on the Single Market can be two-fold. On the one hand, a crisis can lead to obstacles to free movement within the Single Market, thus disrupting its normal functioning. On the other hand, a crisis can amplify shortages of crisis-relevant goods and services on the Single Market. The Regulation should address both types of impacts on the Single Market.

(6) The impact of a crisis on the Single Market can be two-fold. On the one hand, a crisis can lead to obstacles to free movement within the Single Market, thus disrupting its normal functioning. On the other hand, a crisis can amplify shortages of crisis-relevant goods and services on the Single Market. The Regulation should address both types of impacts on the Single Market, ***without ever impeding or impact the right to take collective action as a fundamental workers' right.***

Or. en

Amendment 68

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 7

(7) Since any specific aspects of future crises that would impact the Single Market and its supply chains are hard to predict, this Regulation should provide for a general framework for anticipating, preparing for, mitigating and minimising the negative impacts which any crisis may cause on the Single Market and its supply chains. .

(7) Since any specific aspects of future crises that would impact the Single Market and its supply chains are hard to predict, this Regulation should provide for a general framework for anticipating, ***preventing***, preparing for, mitigating and minimising the negative impacts which any crisis may cause on the Single Market and its supply chains ***by fostering its resilience. In order to do so, this Regulation should support the EU Green Deal's objectives and the Green Deal Industrial Plan, including the transition to a full circular economy by 2050 based on short and diverse supply chains, less dependence on raw materials' imports as well as high environmental, social and consumer protection standards. This Regulation should complement the Directive on Corporate Sustainability Due Diligence, as well as the proposals on a Critical Raw Materials Act and the Net Zero Industry***

Act while also fully respecting and safeguarding fundamental human rights.

Or. en

Amendment 69

Abir Al-Sahlani, Atidzhe Alieva-Veli

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) Since any specific aspects of future crises that would impact the Single Market **and its supply chains** are hard to predict, this Regulation should provide for a general framework for anticipating, preparing for, mitigating and minimising the negative impacts which any crisis may cause on the Single Market **and its supply chains**. .

Amendment

(7) Since any specific aspects of future crises that would impact the Single Market are hard to predict, this Regulation should provide for a general framework for anticipating, preparing for, mitigating and minimising the negative impacts which any crisis may cause on the Single Market, **while ensuring that any crisis related emergency response measures are in line with the rights of free movement as laid down in the Treaties. In addition, such response should always respect fundamental rights.**

Or. en

Amendment 70

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) Since any specific aspects of future crises that would impact the Single Market and its supply chains are hard to predict, this Regulation should provide for a general framework for anticipating, preparing for, mitigating and minimising the negative impacts which any crisis may cause on the Single Market **and its supply chains**. .

Amendment

(7) Since any specific aspects of future crises that would impact the Single Market and its supply chains are hard to predict, this Regulation should provide for a general framework for anticipating, preparing for, mitigating and minimising the negative impacts which any crisis may cause on the Single Market, its supply chains **and workers. Such framework**

*should respect and safeguard
fundamental human rights and workers'
rights.*

Or. en

Amendment 71

Abir Al-Sahlani, Dragoş Pîslaru

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The framework of measures set out under this Regulation should be deployed in a coherent, transparent, efficient, proportionate and timely manner, having due regard to the need to maintain vital societal functions, meaning including public security, safety, public order, or public health respecting, the responsibility of the Member States to safeguard national security and their power to safeguard other essential state functions, including ensuring the territorial integrity of the State and maintaining law and order.

Amendment

(8) The framework of measures set out under this Regulation should be deployed in a coherent, transparent, efficient, proportionate and timely manner, having due regard to the need to maintain vital societal functions, meaning including public security, **public** safety, public order, or public health **while** respecting the responsibility of the Member States to safeguard national security and their power to safeguard other essential state functions, including ensuring the territorial integrity of the State and maintaining law and order. ***In addition, the framework should recognize the important role played by social partners in supporting the Member States' contingency planning efforts, by ensuring inter alia full respect for collective bargaining rights and the autonomy of social partners.***

Or. en

Amendment 72

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The framework of measures set out

Amendment

(8) The framework of measures set out

under this Regulation should be deployed in a coherent, transparent, efficient, proportionate and timely manner, having due regard to the need to maintain vital societal functions, meaning including public security, safety, public order, or public health respecting, the responsibility of the Member States to safeguard national security and their power to safeguard other essential state functions, including ensuring the territorial integrity of the State and maintaining law and order.

under this Regulation should be deployed in a coherent, transparent, efficient, proportionate and timely manner, having due regard to the need to maintain vital societal functions, meaning including public security, safety, public order, or public health respecting, the responsibility of the Member States to safeguard national security and their power to safeguard other essential state functions, including ensuring the territorial integrity of the State and maintaining law and order. ***Trade Unions' autonomy and their collective bargaining rights should be protected while elaborating and implementing such measures.***

Or. en

Amendment 73

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 9 – indent 1

Text proposed by the Commission

— the necessary means to ensure the continued functioning of the Single Market, the businesses that operate on the Single Market and its strategic supply chains, including the free circulation of goods, services and persons in times of crisis and the availability of crisis relevant goods and services to citizens, businesses and public authorities ***at the time of crisis;***

Amendment

— the necessary means to ensure the continued functioning of the Single Market, the businesses that operate on the Single Market and its strategic supply chains, including the free circulation of goods, services and persons in times of crisis and the availability of crisis relevant goods and services to citizens, businesses and public authorities ***while making sure that freedom of movement can be preserved under safe conditions especially for workers involved in the production and provision of those goods and services;***

Or. en

Amendment 74

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation
Recital 9 – indent 1

Text proposed by the Commission

— the necessary means to ensure the continued functioning of the Single Market, the businesses that operate on the Single Market and its strategic supply chains, including the free circulation of goods, services and persons in times of crisis and the availability of crisis relevant goods and services to citizens, businesses and public authorities at the time of crisis;

Amendment

— the necessary means to ensure the continued functioning of the Single Market, the businesses that operate on the Single Market and its strategic supply chains, including the free circulation of goods, services and persons in times of crisis, ***the protection of workers' rights and working conditions*** and the availability of crisis relevant goods and services to citizens, businesses and public authorities at the time of crisis;

Or. en

Amendment 75
Abir Al-Sahlan, Dragoş Pîslaru

Proposal for a regulation
Recital 9 – indent 1

Text proposed by the Commission

— the necessary means to ensure the continued functioning of the Single Market, the businesses that operate on the Single Market and ***its*** strategic supply chains, including the free ***circulation*** of goods, services and persons in times of crisis and the availability of crisis relevant goods and services to citizens, businesses and public authorities ***at the time of crisis***;

Amendment

— the necessary means to ensure the continued functioning of the Single Market ***also in times of crisis, both for*** the businesses that operate on the Single Market and ***their*** strategic supply chains, including the free ***movement*** of goods, services and persons in times of crisis and the availability of crisis relevant goods and services to citizens, businesses and public authorities;

Or. en

Amendment 76
Miriam Lexmann

Proposal for a regulation
Recital 9 – indent 2

Text proposed by the Commission

— a forum for adequate coordination, cooperation and exchange of information; and

Amendment

— a forum for adequate coordination, cooperation and exchange of information ***while using the full potential of digital tools in order to speed up necessary administrative procedures, such as declarations, registrations or authorisations***; and

Or. en

Amendment 77

Abir Al-Sahlan, Dragoş Pîslaru

Proposal for a regulation

Recital 9 – indent 3

Text proposed by the Commission

— the means for the timely accessibility and availability of the information which is needed for a targeted response and adequate market behaviour by businesses and citizens during a crisis.

Amendment

— the means for the timely accessibility and availability of the information which is needed for a targeted response and adequate market behaviour by businesses, ***workers*** and citizens during a crisis.

Or. en

Amendment 78

Miriam Lexmann

Proposal for a regulation

Recital 9 – indent 3

Text proposed by the Commission

— the means for the timely accessibility and availability of the information which is needed for a targeted response and adequate market behaviour by businesses and citizens during a crisis.

Amendment

— the means for the timely accessibility and availability of the information which is needed for a targeted response and adequate market behaviour by businesses, ***workers*** and citizens during a crisis.

Or. en

Amendment 79

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 9 – indent 3

Text proposed by the Commission

— the means for the timely accessibility and availability of the information which is needed for a targeted response and adequate market behaviour by businesses and citizens during a crisis.

Amendment

— the means for the timely accessibility and availability of the information which is needed for a targeted response and adequate market behaviour by businesses, **workers** and citizens during a crisis.

Or. en

Amendment 80

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Recital 9 – indent 3

Text proposed by the Commission

— the means for the timely accessibility and availability of the information which is needed for a targeted response and adequate **market behaviour by** businesses and citizens during a crisis.

Amendment

— the means for the timely accessibility and availability of the information which is needed for a targeted response and adequate **response by workers,** businesses and citizens during a crisis.

Or. en

Amendment 81

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) Where possible, this Regulation

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Amendment

(10) Where possible, this Regulation

21/127

PE745.386v01-00

should allow for anticipation of events and crises, building on on-going analysis concerning strategically important areas of the Single Market economy and the Union's continuous foresight work.

should allow for anticipation **and prevention** of events and crises, building on on-going analysis concerning strategically important areas of the Single Market economy and the Union's continuous foresight work.

Or. en

Amendment 82

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 17

Text proposed by the Commission

(17) Article 21 TFEU lays down the right of EU citizens to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. The detailed conditions and limitations are laid down in Directive 2004/38/EC. This Directive sets out the general principles applicable to these limitations and the grounds that may be used to justify such measures. ***These grounds are public policy, public security or public health. In this context, restrictions to freedom of movement can be justified if they are proportionate and non-discriminatory.*** This Regulation is not intended to provide for additional grounds for the limitation of the right to free movement of persons beyond those provided for in Chapter VI of Directive 2004/38/EC.

Amendment

(17) Article 21 TFEU lays down the right of EU citizens to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. The detailed conditions and limitations are laid down in Directive 2004/38/EC. This Directive sets out the general principles applicable to these limitations and the grounds that may be used to justify such measures. ***Member States shall refrain from introducing restrictions on the free movement of Union citizens and their family members and of third-country nationals legally staying or residing in the territories of the Member States as well as refugees and beneficiaries of international protection on grounds of public policy, public security and public health that are directly discriminatory.*** This Regulation is not intended to provide for additional grounds for the limitation of the right to free movement of persons beyond those provided for in Chapter VI of Directive 2004/38/EC.

Or. en

Amendment 83

Abir Al-Sahlani, Dragoş Pîslaru, Atidzhe Alieva-Veli

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) As regards the measures for **re-establishing** and facilitating free movement of persons and any other measures affecting the free movement of persons provided under this Regulation, they are based on Article 21 TFEU and complement Directive 2004/38/EC without affecting its application at the time of Single Market emergencies. Such measures should **not** result in authorising or justifying restrictions to free movement contrary to the Treaties or other provisions of Union law.

Amendment

(18) As regards the measures for **ensuring** and facilitating free movement of persons and any other measures affecting the free movement of persons provided under this Regulation, they are based on Article 21 TFEU and complement Directive 2004/38/EC without affecting its application at the time of Single Market emergencies. Such measures should **never** result in authorising or justifying restrictions to free movement contrary to the Treaties or other provisions of Union law.

Or. en

Amendment 84

Abir Al-Sahlani, Dragoş Pîslaru, Atidzhe Alieva-Veli

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) Article 45 TFEU lays down the right to free movement of workers, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. This Regulation contains provisions which complement the existing measures in order to **reinforce** free movement of persons, increase transparency and provide administrative assistance during Single Market emergencies. Such measures include setting up and making available of the single points of contact to workers and their representatives in the Member States and at Union level during the Single Market vigilance and emergency modes

Amendment

(19) Article 45 TFEU lays down the right to free movement of workers, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. This Regulation contains provisions which complement the existing measures in order to **safeguard** free movement of persons, increase transparency and provide administrative assistance during Single Market emergencies. Such measures include setting up and making available of the single points of contact to workers and their representatives in the Member States and at Union level during the Single Market vigilance and emergency modes

under this regulation.

under this regulation. *Member States and the Commission are encouraged to use existing instruments for the set up and operation of these contact points. Such contact points should be active even outside the emergency mode and should help communication between the Member States and with the advisory board. The information provided by the contact point should be clear and understandable and accessible to persons with disabilities.*

Or. en

Amendment 85

Marc Angel, Agnes Jongerius, Vilija Blinkevičiūtė, Elisabetta Gualmini, Aurore Lalucq, Brando Benifei, Milan Brglez, Daniela Rondinelli, João Albuquerque

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) Article 45 TFEU lays down the right to free movement of workers, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. This Regulation contains provisions which complement the existing measures in order to **reinforce** free movement of persons, increase transparency and provide administrative assistance during Single Market emergencies. Such measures **include** setting up and making available of the single points of contact to workers and their representatives in the Member States and at Union level during the Single Market vigilance and emergency modes under this regulation.

Amendment

(19) Article 45 TFEU lays down the right to free movement of workers, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. This Regulation contains provisions which complement the existing measures in order to **preserve** free movement of persons, increase transparency and provide administrative assistance during Single Market emergencies **while ensuring the protection and equal treatment of workers when exercising their freedom of movement in times of crisis**. Such measures **should provide that essential and crisis relevant workers exercising their freedom of movement during a Single Market emergency are guaranteed the same level of protection in terms of health and safety as local workers active in the relevant sector in the receiving Member State as well as access to adequate information, including** setting up and making available of the single points of contact to workers and their representatives in the Member

States and at Union level during the Single Market vigilance and emergency modes under this regulation.

Or. en

Amendment 86

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) Article 45 TFEU lays down the right to free movement of workers, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. This Regulation contains provisions which complement the existing measures in order to reinforce free movement of persons, increase transparency and provide administrative assistance during Single Market emergencies. Such measures include setting up and making available of the single points of contact to workers and their representatives in the Member States and at Union level during the Single Market vigilance and emergency modes under this regulation.

Amendment

(19) Article 45 TFEU lays down the right to free movement of workers, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. This Regulation contains provisions which complement the existing measures in order to reinforce **preserve** free movement of persons, increase transparency and provide administrative assistance during Single Market emergencies **while ensuring the safety of workers exercising their freedom of movement especially also in times of crisis**. Such measures include setting up and making available of the single points of contact to workers and their representatives in the Member States and at Union level during the Single Market vigilance and emergency modes under this regulation.

Or. en

Amendment 87

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Recital 19

Text proposed by the Commission

Amendment

(19) Article 45 TFEU lays down the right to free movement of workers, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. This Regulation contains provisions which complement the existing measures in order to **reinforce** free movement of persons, increase transparency and provide administrative assistance during Single Market emergencies. Such measures include setting up and making available of the single points of contact to workers and their representatives in the Member States and at Union level during the Single Market vigilance and emergency modes under this regulation.

(19) Article 45 TFEU lays down the right to free movement of workers **without any discrimination based on nationality**, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. This Regulation contains provisions which complement the existing measures in order to **preserve** free movement of persons, **protect workers, ensure their safety**, increase transparency and provide administrative assistance during Single Market emergencies. Such measures include setting up and making available of the single points of contact to workers and their representatives in the Member States and at Union level during the Single Market vigilance and emergency modes under this regulation.

Or. en

Amendment 88 **Miriam Lexmann**

Proposal for a regulation **Recital 19**

Text proposed by the Commission

(19) Article 45 TFEU lays down the right to free movement of workers, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. This Regulation contains provisions which complement the existing measures in order to reinforce free movement of persons, increase transparency and provide administrative assistance during Single Market emergencies. Such measures include setting up and making available of the single points of contact to workers and their representatives in the Member States and at Union level during the Single Market vigilance and emergency modes under this regulation.

Amendment

(19) Article 45 TFEU lays down the right to free movement of workers, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. This Regulation contains provisions which complement the existing measures in order to ***maintain or*** reinforce free movement of persons, increase transparency and provide ***adequate and timely information as well as*** administrative assistance during Single Market emergencies. Such measures include setting up and making available of the single points of contact to workers and their representatives in the Member States and at Union level during the Single Market vigilance and emergency modes

under this regulation.

Or. en

Amendment 89
Miriam Lexmann

Proposal for a regulation
Recital 19 a (new)

Text proposed by the Commission

Amendment

(19 a) In order to facilitate cross-border measures to maintain or reinforce the free movement of workers, the Commission should make full use of digital tools to facilitate cross-border management and coordination of social security rights and obligations. Special attention should be paid to the most affected workers including cross-border workers, frontier workers, seasonal workers and remote workers including those working remotely from the Member State other than the Member State of their employer;

Or. en

Amendment 90
Kim Van Sparrentak
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 20

Text proposed by the Commission

Amendment

(20) If Member States **adopt** measures affecting free movement of goods or persons, **goods** or the freedom to provide services **in preparation for and during** Single Market emergencies, **they should limit** such measures to what is necessary and **remove them** as soon as the situation allows it. **Such measures should respect the principles of proportionality and non-**

(20) Member States **should refrain from adopting** measures affecting **the** free movement of goods or persons or the freedom to provide services **unless justified on grounds of legitimate public policy, security and health, are proportionate and non-discriminatory. Especially in** Single Market emergencies, **citizens, workers,**

discrimination and should take into consideration the particular situation of border regions.

consumers and businesses depend on a well-functioning Single Market and on preserving the safe freedom of movement. Therefore, such measures restricting the free movement of goods and services have to be limited to what is *absolutely* necessary and *have to be removed* as soon as the situation allows it *with special regard to* the particular situation of border regions, *to the provision of services that are essential to the functioning of the affected sector and to sectors that are notably dependent on mobile workers especially in services of general interest. Workers who due to the nature of their tasks and responsibilities are objectively unable to cross-border telework should not be subject to undue restrictions to their freedom of movement as long as their safety and protection can be guaranteed.*

Or. en

Amendment 91
Abir Al-Sahlani, Atidzhe Alieva-Veli

Proposal for a regulation
Recital 20

Text proposed by the Commission

(20) If Member States adopt measures affecting free movement of goods or persons, *goods or the freedom to provide services* in preparation for and during Single Market emergencies, *they should limit such measures to what is necessary and remove them* as soon as the situation allows it. Such measures should respect the principles of proportionality and non-discrimination and should take into consideration the particular situation of border regions.

Amendment

(20) *The free movement of goods, services and persons is established in the Treaties and constitutes a key principle of the European Union. Therefore, these freedoms should always be upheld.* If Member States *nevertheless* adopt measures affecting free movement of goods, *services* or persons in preparation for and during Single Market emergencies, *those measures should be justified, non-discriminatory, limited in time and proportionate to address the emergency on the Single Market. All potential measures should be removed* as soon as the situation allows it, *and at the very latest when the emergency mode has been*

deactivated. Any restriction that is still in place when the emergency mode has been deactivated should have no legal effect on neither persons nor economic operators. Such measures should respect the principles of proportionality and non-discrimination and should take into consideration the particular situation of border regions. *In the light of digitalisation and recent technical developments, teleworking arrangements can be a suitable solution for many workers in situations where cross-border commuting to the workplace is not possible. However, in order to avoid discrimination, workers for whom cross-border telework is not feasible, for example due to the nature of their tasks and responsibilities, should not be subject to undue restrictions to their freedom of movement as long as their health and safety can be ensured.*

Or. en

Amendment 92

Marc Angel, Agnes Jongerius, Vilija Blinkevičiūtė, Elisabetta Gualmini, Aurore Lalucq, Brando Benifei, Milan Brglez, Daniela Rondinelli, João Albuquerque

Proposal for a regulation

Recital 20

Text proposed by the Commission

(20) If Member States adopt measures affecting free movement of goods or persons, goods or the freedom to provide services in preparation for and during Single Market emergencies, they should limit such measures to what is necessary and remove them as soon as the situation allows it. Such measures should respect the principles of proportionality and non-discrimination and should take into consideration the particular situation of border regions.

Amendment

(20) If Member States adopt measures affecting free movement of goods or persons, goods or the freedom to provide services in preparation for and during Single Market emergencies, they should limit such measures to what is necessary and remove them as soon as the situation allows it. Such measures should respect *fundamental human rights as well as* the principles of proportionality and non-discrimination and should take into consideration the particular situation of border regions. *To ensure the equal treatment of workers when exercising*

their freedom of movement, Member States should allow mobile and cross-border workers to continue crossing their borders to reach their workplace if work in the sector concerned is still allowed in the receiving Member State.

Or. en

Amendment 93
Miriam Lexmann

Proposal for a regulation
Recital 20

Text proposed by the Commission

(20) If Member States adopt measures affecting free movement of goods or persons, goods or the freedom to provide services in preparation for and during Single Market emergencies, they should limit such measures to what is necessary and remove them as soon as the situation allows it. Such measures should respect the principles of proportionality and non-discrimination and should take into consideration the particular situation of border regions.

Amendment

(20) If Member States adopt measures affecting free movement of goods or persons, goods or the freedom to provide services in preparation for and during Single Market emergencies, they should limit such measures to what is necessary and remove them as soon as the situation allows it. Such measures should respect the principles of proportionality and non-discrimination and should take into consideration the particular situation of border regions. ***Special attention should be paid to cross-border workers, seasonal workers, workers of crisis-relevant sectors and remote workers.***

Or. en

Amendment 94
Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation
Recital 20

Text proposed by the Commission

(20) If Member States adopt measures affecting free movement of goods or persons, goods or the freedom to provide

Amendment

(20) If Member States adopt measures affecting free movement of goods or persons, goods or the freedom to provide

services in preparation for and during Single Market emergencies, they should limit such measures to what is necessary and remove them as soon as the situation allows it. Such measures should respect the principles of proportionality and non-discrimination and should take into consideration the particular situation of border regions.

services in preparation for and during Single Market emergencies, they should limit such measures to what is necessary and remove them as soon as the situation allows it. Such measures should respect ***fundamental human rights, workers' rights, as well as*** the principles of proportionality and non-discrimination and should take into consideration the particular situation of border regions, ***especially of cross-border and frontier workers***.

Or. en

Amendment 95

Marc Angel, Agnes Jongerius, Vilija Blinkevičiūtė, Elisabetta Gualmini, Aurore Lalucq, Brando Benifei, Milan Brglez, Daniela Rondinelli, João Albuquerque

Proposal for a regulation Recital 20 a (new)

Text proposed by the Commission

Amendment

(20 a) In the light of digitalisation and its cross-border impacts on the Single Market and the Union labour market, consideration needs to be given to teleworking arrangements. In particular in cases of restrictions to the free movement of workers, special attention should be paid to the question of whether cross-border and mobile workers in certain sectors and occupations are able to carry out their tasks remotely. In order to avoid discrimination, workers for whom cross-border telework is not feasible, for example due to the nature of their tasks and responsibilities, should not be subject to undue restrictions to their freedom of movement as long as their health and safety can be ensured on the basis of equal treatment with local workers active in the relevant sector in the receiving Member State.

Or. en

Amendment 96

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Recital 20 a (new)

Text proposed by the Commission

Amendment

(20 a) In cases of restrictions to the free movement of workers, teleworking options should be set up when possible, particularly when it affects cross-border and frontier workers. When such options are not possible due to the nature of their tasks, workers' right to health and safety should be prioritised.

Or. en

Amendment 97

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Recital 21

Text proposed by the Commission

Amendment

(21) The activation of the Single Market emergency mode should trigger an obligation for the Member States to notify crisis-relevant free movement restrictions.

(21) The activation of the Single Market emergency mode should trigger an obligation for the Member States to notify crisis-relevant free movement restrictions.
If workers' rights and working conditions are affected by the activation, trade unions should be informed and consulted, as well as be able to participate in the decision-making.

Or. en

Amendment 98

Miriam Lexmann

Proposal for a regulation

Recital 21

Text proposed by the Commission

Amendment

(21) The activation of the Single Market emergency mode should trigger an obligation for the Member States to notify crisis-relevant free movement restrictions.

(21) The activation of the Single Market emergency mode should trigger an obligation for the Member States to notify crisis-relevant free movement restrictions.
Social partners should be informed on emergency measures having an impact on the labour market.

Or. en

Amendment 99

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 21

Text proposed by the Commission

Amendment

(21) The activation of the Single Market emergency mode should trigger an obligation for the Member States ***to*** notify ***crisis-relevant*** free movement restrictions.

(21) The activation of the Single Market emergency mode should trigger an obligation for the Member States ***shall*** notify ***any*** free movement restrictions ***without delay giving a justified assessment of its proportionality and necessity.***

Or. en

Amendment 100

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Recital 22

Text proposed by the Commission

Amendment

(22) ***When examining the compatibility of any notified draft or adopted measures with the principle of proportionality,*** the Commission should pay due regard to the evolving crisis situation and often limited information that is at the disposal of the Member States when they seek to reduce

(22) The Commission should pay due regard to the evolving crisis situation and often limited information that is at the disposal of the Member States when they seek to reduce the emerging risks in the context of the crisis. Where justified and necessary in the circumstances, the

the emerging risks in the context of the crisis. Where justified and necessary in the circumstances, the Commission *may* consider based on any available information, including specialised or scientific information, the merits of Member State arguments relying on the precautionary principle as a reason for adoption of free movement of persons restrictions. ***It is the task of the Commission to ensure that such measures comply with Union law and do not create unjustified obstacles to the functioning of the Single Market.*** The Commission should react to the notifications of Member States as quickly as possible, taking into account the circumstances of the particular crisis, and at the latest within the time-limits set out by this Regulation.

Commission ***should*** consider based on any available information, including specialised or scientific information, the merits of Member State arguments relying on the precautionary principle as a reason for adoption of free movement of persons restrictions, ***while fully respecting fundamental human rights and workers' rights as set out in national, European and international law.*** The Commission should react to the notifications of Member States as quickly as possible, taking into account the circumstances of the particular crisis, and at the latest within the time-limits set out by this Regulation.

Or. en

Amendment 101

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 22

Text proposed by the Commission

(22) When examining the compatibility of any notified draft or adopted measures with the principle of proportionality, the Commission should ***pay due regard to the evolving crisis situation and often limited information that is at the disposal of the Member States when they seek to reduce the emerging risks in the context of the crisis. Where justified and necessary in the circumstances,*** the Commission *may* consider based on any available information, including specialised or scientific information, the merits of Member State arguments relying on the precautionary principle as a reason for adoption of free movement of persons restrictions. It is the task of the

Amendment

(22) When examining the compatibility of any notified draft or adopted measures with the principle of ***necessity and*** proportionality, the Commission should ***consult with stakeholders such as social partners in order to assess the impact on the labour market.*** The Commission ***should*** assess the merits of Member State arguments ***including those*** relying on the precautionary principle ***enshrined in Article 191 TFEU*** as a reason for adoption of free movement of persons restrictions. It is the task of the Commission to ensure that such measures comply with Union law and do not create unjustified obstacles to the functioning of the Single Market ***and to the right to free movement.*** The

Commission to ensure that such measures comply with Union law and do not create unjustified obstacles to the functioning of the Single Market. The Commission should react to the notifications of Member States as quickly as possible, taking into account the circumstances of the particular crisis, and at the latest within the time-limits set out by this Regulation.

Commission should react to the notifications of Member States as quickly as possible, taking into account the circumstances of the particular crisis, and at the latest within the time-limits set out by this Regulation.

Or. en

Amendment 102

Abir Al-Sahlan, Dragoş Pîslaru

Proposal for a regulation

Recital 22

Text proposed by the Commission

(22) When examining the compatibility of any notified draft or adopted measures with the principle of proportionality, the Commission should pay due regard to the evolving crisis situation and often limited information that is at the disposal of the Member States when they seek to reduce the emerging risks in the context of the crisis. Where justified and necessary in the circumstances, the Commission may consider based on any available information, including specialised or scientific information, the merits of Member State arguments relying on the precautionary principle as a reason for adoption of free movement *of* persons **restrictions. It is** the task of the Commission to ensure that such measures comply with Union law and do not create unjustified obstacles to the functioning of the Single Market. The Commission should react to the notifications of Member States as quickly as possible, taking into account the circumstances of the particular crisis, and at the latest within the time-limits set out by this Regulation.

Amendment

(22) When examining the compatibility of any notified draft or adopted measures with the principle of proportionality, the Commission should pay due regard to the evolving crisis situation and often limited information that is at the disposal of the Member States when they seek to reduce the emerging risks in the context of the crisis. Where justified and necessary in the circumstances, the Commission may consider based on any available information, including specialised or scientific information, the merits of Member State arguments relying on the precautionary principle as a reason for adoption of **restrictions of** free movement **for** persons. **However, given** the task of the Commission to ensure that such measures comply with Union law and do not create unjustified obstacles to the functioning of the Single Market, **the rule should always be free movement as laid down in the Treaties.** The Commission should react to the notifications of Member States as quickly as possible, taking into account the circumstances of the particular crisis, and at the latest within the time-limits set out

by this Regulation.

Or. en

Amendment 103

Abir Al-Sahlani, Dragoş Pîslaru

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) In order to ensure that the specific Single Market emergency measures provided for in this Regulation are used only where this is indispensable for responding to a particular Single Market emergency, such measures should require individual activation by means of Commission implementing acts, which indicate the reasons for such activation **and** the crisis-relevant goods or services that such measures apply to.

Amendment

(23) In order to ensure that the specific Single Market emergency measures provided for in this Regulation are used only where this is indispensable for responding to a particular Single Market emergency, such measures should require individual activation by means of Commission implementing acts, which indicate the reasons for such activation, ***how the measures comply with the provisions laid down in the TFEU as well as*** the crisis-relevant goods or services that such measures apply to.

Or. en

Amendment 104

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) In order to ensure that the specific Single Market emergency measures provided for in this Regulation are used only where this is indispensable for responding to a particular Single Market emergency, such measures should require individual activation by means of Commission implementing acts, which indicate the reasons for such activation and the crisis-relevant goods or services that

Amendment

(23) In order to ensure that the specific Single Market emergency measures provided for in this Regulation are used only where this is indispensable for responding to a particular Single Market emergency, such measures should require individual activation by means of Commission implementing acts, which indicate the reasons for such activation, ***the compliance with fundamental human***

such measures apply to.

rights and workers' rights and the crisis-relevant goods or services that such measures apply to.

Or. en

Amendment 105

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Recital 24

Text proposed by the Commission

(24) Furthermore, in order to ensure the proportionality of the implementing acts and ***due*** respect for the role of economic operators in crisis management, the Commission should only resort to the activation of the Single Market emergency mode, where economic operators are not able to provide a solution on a voluntary basis within a reasonable time. Why this is the case should be indicated in each such act, and in relation to all particular aspects of a crisis.

Amendment

(24) Furthermore, in order to ensure the proportionality of the implementing acts and ***full*** respect for the role of ***trade unions and other relevant*** economic operators in crisis management, the Commission should only resort to the activation of the Single Market emergency mode, where ***trade unions and*** economic operators are not able to provide a solution on a voluntary basis within a reasonable time. Why this is the case should be indicated in each such act, and in relation to all particular aspects of a crisis.

Or. en

Amendment 106

Abir Al-Sahlani, Atidzhe Alieva-Veli

Proposal for a regulation

Recital 24

Text proposed by the Commission

(24) Furthermore, in order to ensure the proportionality of the implementing acts and due respect for the role of economic operators in crisis management, the Commission should only resort to the activation of the Single Market emergency mode, where economic operators are not able to provide a solution on a voluntary

Amendment

(24) Furthermore, in order to ensure the proportionality of the implementing acts and due respect for ***the autonomy of social partners and*** the role of economic operators in crisis management, the Commission should only resort to the activation of the Single Market emergency mode, where economic operators are not

basis within a reasonable time. Why this is the case should be indicated in each such act, and in relation to all particular aspects of a crisis.

able to provide a solution on a voluntary basis within a reasonable time. Why this is the case should be indicated in each such act, and in relation to all particular aspects of a crisis.

Or. en

Amendment 107

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 24

Text proposed by the Commission

(24) Furthermore, in order to ensure the proportionality of the implementing acts and due respect for the role of economic operators in crisis management, the Commission should only resort to the activation of the Single Market emergency mode, where economic operators are not able to provide a solution on a voluntary basis within a reasonable time. Why this is the case should be indicated in each such act, and in relation to all particular aspects of a crisis.

Amendment

(24) Furthermore, in order to ensure the proportionality of the implementing acts and due respect for ***the autonomy of social partners and*** the role of economic operators in crisis management, the Commission should only resort to the activation of the Single Market emergency mode, where economic operators are not able to provide a solution on a voluntary basis within a reasonable time. Why this is the case should be indicated in each such act, and in relation to all particular aspects of a crisis.

Or. en

Amendment 108

Miriam Lexmann

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) Information requests to economic operators should be used by the Commission only where the information which is necessary for responding adequately to the Single Market

Amendment

(25) Information requests to economic operators should be used by the Commission ***with due regard to business confidentiality*** only where the information which is necessary for responding

emergency, such as information necessary for procurement by the Commission on behalf of the Member States or estimating the production capacities of manufacturers of crisis-relevant goods the supply chains of which have been disrupted, cannot be obtained from publicly available sources or as a result of information provided voluntarily.

adequately to the Single Market emergency, such as information necessary for procurement by the Commission on behalf of the Member States or estimating the production capacities of manufacturers of crisis-relevant goods the supply chains of which have been disrupted, cannot be obtained from publicly available sources or as a result of information provided voluntarily.

Or. en

Amendment 109
Miriam Lexmann

Proposal for a regulation
Recital 28

Text proposed by the Commission

(28) In cases where there are substantial risks to the functioning of the Single Market or in cases of severe shortages or an exceptionally high demand of goods of **strategic** importance, measures at Union level aimed to ensure the availability of crisis-relevant products, such as priority rated orders, may prove to be indispensable for the return to the normal functioning of the Single Market.

Amendment

(28) In cases where there are substantial risks to the functioning of the Single Market or in cases of severe shortages or an exceptionally high demand of goods of **critical** importance, measures at Union level aimed to ensure the availability of crisis-relevant products, such as priority rated orders, may prove to be indispensable for the return to the normal functioning of the Single Market.

Or. en

Amendment 110
Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) Where there is a severe shortage of crisis-relevant products or services on the Single market during a Single Market emergency, and it is clear that the

Amendment

(30) Where there is a severe shortage of crisis-relevant products or services on the Single market during a Single Market emergency, and it is clear that the

economic operators that operate on the Single market do not produce any such goods, but would in principle be able to repurpose their production lines or would have insufficient capacity to provide the goods or services needed, the Commission should be able to recommend to the Member States *as a last resort* to take measures to facilitate or request the ramping up or repurposing of production capacity of manufacturers or the capacity of the service providers to provide crisis-relevant services. In doing so the Commission would inform the Member States as to the severity of the shortage and the type of the crisis-relevant goods or services that are needed and would provide support and advice in relation to the flexibilities in the EU acquis for such purposes.

economic operators that operate on the Single market do not produce any such goods, but would in principle be able to repurpose their production lines or would have insufficient capacity to provide the goods or services needed, the Commission should be able to recommend to the Member States to take measures to facilitate or request the ramping up or repurposing of production capacity of manufacturers or the capacity of the service providers to provide crisis-relevant services. In doing so the Commission would inform the Member States as to the severity of the shortage and the type of the crisis-relevant goods or services that are needed and would provide support and advice in relation to the flexibilities in the EU acquis for such purposes. *If any ramping up or repurposing of production capacity of manufacturers have an impact on workers in a company or sector, whether on working conditions or pay conditions, trade unions should be able to participate fully in the process, in addition to being informed and consulted before and during the implementation phase.*

Or. en

Amendment 111

Miriam Lexmann

Proposal for a regulation

Recital 30

Text proposed by the Commission

(30) Where there is a severe shortage of crisis-relevant products or services on the Single market during a Single Market emergency, and it is clear that the economic operators that operate on the Single market do not produce any such goods, but would in principle be able to repurpose their production lines or would have insufficient capacity to provide the goods or services needed, the Commission

Amendment

(30) Where there is a severe shortage of crisis-relevant products or services on the Single market during a Single Market emergency, and it is clear that the economic operators that operate on the Single market do not produce any such goods, but would in principle be able to repurpose their production lines or would have insufficient capacity to provide the goods or services needed, the Commission

should be able to recommend to the Member States as a last resort to take measures to facilitate or request the ramping up or repurposing of production capacity of manufacturers or the capacity of the service providers to provide crisis-relevant services. In doing so the Commission would inform the Member States as to the severity of the shortage and the type of the crisis-relevant goods or services that are needed and would provide support and advice in relation to the flexibilities in the EU acquis for such purposes.

should be able to recommend to the Member States as a last resort ***and strictly limited to what is necessary and only for a limited period of time*** to take measures to facilitate or request the ramping up or repurposing of production capacity of manufacturers or the capacity of the service providers to provide crisis-relevant services. In doing so the Commission would inform the Member States as to the severity of the shortage and the type of the crisis-relevant goods or services that are needed and would provide support and advice in relation to the flexibilities in the EU acquis for such purposes.

Or. en

Amendment 112

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 30

Text proposed by the Commission

(30) Where there is a severe shortage of crisis-relevant products or services on the Single market during a Single Market emergency, and it is clear that the economic operators that operate on the Single market do not produce any such goods, but would in principle be able to repurpose their production lines or would have insufficient capacity to provide the goods or services needed, the Commission should be able to recommend to the Member States as a last resort to take measures to facilitate or request the ramping up or repurposing of production capacity of manufacturers or the capacity of the service providers to provide crisis-relevant services. In doing so the Commission would inform the Member States as to the severity of the shortage and the type of the crisis-relevant goods or services that are needed and would provide

Amendment

(30) Where there is a severe shortage of crisis-relevant products or services on the Single market during a Single Market emergency, and it is clear that the economic operators that operate on the Single market do not produce any such goods, but would in principle be able to repurpose their production lines or would have insufficient capacity to provide the goods or services needed, the Commission should be able to recommend to the Member States as a last resort to take measures to facilitate or request the ramping up or repurposing of production capacity of manufacturers or the capacity of the service providers to provide crisis-relevant services. In doing so the Commission would inform the Member States, ***the advisory group and the European Parliament*** as to the severity of the shortage and the type of the crisis-

support and advice in relation to the flexibilities in the EU acquis for such purposes.

relevant goods or services that are needed and would provide support and advice in relation to the flexibilities in the EU acquis for such purposes.

Or. en

Amendment 113

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Recital 32

Text proposed by the Commission

(32) Additionally, to ensure that crisis-relevant goods are available during the Single Market emergency, the Commission may invite the economic operators that operate in crisis-relevant supply chains to prioritise the orders of inputs necessary for the production of final goods that are crisis relevant, or the orders of such final goods themselves. Should an economic operator refuse to accept and prioritise such orders, following objective evidence that the availability of crisis-relevant goods is indispensable, the Commission may decide to invite the economic operators concerned to accept and prioritise certain orders, the fulfilment of which will then take precedence over any other private or public law obligations. In the event of failure to accept, the operator in question should explain its legitimate reasons for declining the request. The Commission may make such reasoned explanation or parts of it public, with due regard to business confidentiality.

Amendment

(32) Additionally, to ensure that crisis-relevant goods are available during the Single Market emergency, the Commission may invite the economic operators that operate in crisis-relevant supply chains to prioritise the orders of inputs necessary for the production of final goods that are crisis relevant, or the orders of such final goods themselves. Should an economic operator refuse to accept and prioritise such orders, following objective evidence that the availability of crisis-relevant goods is indispensable, the Commission may decide to invite the economic operators concerned to accept and prioritise certain orders, the fulfilment of which will then take precedence over any other private or public law obligations. In the event of failure to accept, the operator in question should explain its legitimate reasons for declining the request. The Commission may make such reasoned explanation or parts of it public, with due regard to business confidentiality. ***When there are consequences for workers, both in terms of working conditions and increases and decreases in activity, trade unions of the companies and sector concerned should be able to participate fully in the process, in addition to being informed and consulted before the decision to redirect production is taken and throughout the implementation phase. Workers who at***

the end of this process would change job position should be consulted, supported and trained and be entitled to compensation, including financial ones. Workers' occupational health and safety must in all cases remain the priority for all economic operators and public authorities.

Or. en

Amendment 114

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Recital 35

Text proposed by the Commission

(35) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards the possibility to adopt supportive measures for facilitating free movement of persons, for establishing a list of individual targets (quantities and deadlines) for those strategic reserves that the Member States should maintain, so that the objectives of the initiative are achieved. Furthermore, implementing powers should be conferred on the Commission as regards activating the vigilance mode and vigilance measures in order to carefully monitor the strategic supply chains and coordinate the building up of strategic reserves for goods and services of strategic importance. Moreover, implementing powers should be conferred on the Commission as regards activation of specific emergency response measures at the time of a Single Market emergency, to allow for a rapid and coordinated response. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

Amendment

(35) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards the possibility to adopt supportive measures for facilitating free movement of persons **and the protection of workers exercising this right**, for establishing a list of individual targets (quantities and deadlines) for those strategic reserves that the Member States should maintain, so that the objectives of the initiative are achieved. Furthermore, implementing powers should be conferred on the Commission as regards activating the vigilance mode and vigilance measures in order to carefully monitor the strategic supply chains and coordinate the building up of strategic reserves for goods and services of strategic importance. Moreover, implementing powers should be conferred on the Commission as regards activation of specific emergency response measures at the time of a Single Market emergency, to allow for a rapid and coordinated response. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

Amendment 115**Marc Botenga, Nikolaj Villumsen, Leila Chaibi****Proposal for a regulation****Recital 36***Text proposed by the Commission*

(36) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union (the ‘Charter’). In particular, it respects the right to privacy *of the economic operators* enshrined in Article 7 of the Charter, right to data protection set out in Article 8 of the Charter, the freedom to conduct business and the freedom of contract, which are protected by Article 16 of the Charter, the right to property, protected by Article 17 of the Charter, right to collective bargaining and action protected by Article 26 of the Charter and the right to an effective judicial remedy and to a fair trial as provided for in Article 47 of the Charter. Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. The Regulation should not affect the autonomy of the social partners as recognised by the TFEU.

Amendment

(36) This Regulation respects fundamental rights and observes the principles recognised in particular by the ***European Social Charter and the*** Charter of Fundamental Rights of the European Union (the ‘Charter’), ***notably everyone’s right to liberty and security of person, as enshrined in Article 6.*** In particular, it respects the right to privacy enshrined in Article 7 of the Charter, right to data protection set out in Article 8 ***of the Charter, the freedom to choose an occupation and right to engage in work as protected by Article 15*** of the Charter, the freedom to conduct business and the freedom of contract, which are protected by Article 16 of the Charter, the right to property, protected by Article 17 of the Charter, right to collective bargaining and action protected by Article 28 of the Charter, ***the right to fair and just working conditions as protected by Article 31 of the Charter,*** and the right to an effective judicial remedy and to a fair trial as provided for in Article 47 of the Charter. ***No emergency measure triggered under this Regulation in response to a crisis in the Single Market should be used to undermine or circumvent fundamental human rights and workers’ rights as guaranteed under the Charter, the European Social Charter or international human rights instruments.*** Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt

measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. The Regulation should not affect the autonomy of the social partners as recognised by the TFEU.

Or. en

Amendment 116

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 36

Text proposed by the Commission

(36) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union (the ‘Charter’). In particular, it respects the right to privacy of the economic operators enshrined in Article 7 of the Charter, right to data protection set out in Article 8 of the Charter, the freedom to conduct business and the freedom of contract, which are protected by Article 16 of the Charter, the right to property, protected by Article 17 of the Charter, right to collective bargaining and action protected by Article 26 of the Charter and the right to an effective judicial remedy and to a fair trial as provided for in Article 47 of the Charter. Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in

Amendment

(36) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union (the ‘Charter’) **and the right to liberty and security of person (Article 6)**. In particular, it respects the right to privacy of the economic operators enshrined in Article 7 of the Charter, right to data protection set out in Article 8 of the Charter, **, the freedom to choose an occupation and right to engage in work as protected by Article 15 of the Charter** the freedom to conduct business and the freedom of contract, which are protected by Article 16 of the Charter, the right to property, protected by Article 17 of the Charter, right to collective bargaining and action protected by Article 26 of the Charter **as well as the right to strike** and the right to an effective judicial remedy and to a fair trial as provided for in Article 47 of the Charter. Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union

that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. The Regulation should not affect the autonomy of the social partners as recognised by the TFEU.

level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. The Regulation should not affect the autonomy of the social partners as recognised by the TFEU.

Or. en

Amendment 117

Abir Al-Sahlani, Dragoş Pîslaru, Atidzhe Alieva-Veli

Proposal for a regulation

Recital 36

Text proposed by the Commission

(36) This Regulation **respects** fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union (the ‘Charter’). In particular, it respects the right to privacy of the economic operators enshrined in Article 7 of the Charter, right to data protection set out in Article 8 of the Charter, the freedom to conduct business and the freedom of contract, which are protected by Article 16 of the Charter, the right to property, protected by Article 17 of the Charter, right to collective bargaining and action protected by Article 26 of the Charter and the right to an effective judicial remedy and to a fair trial as provided for in Article 47 of the Charter. Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in

Amendment

(36) This Regulation **safeguards the** fundamental rights **as laid down in the Treaties** and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union (the ‘Charter’). In particular, it respects the right to privacy of the economic operators enshrined in Article 7 of the Charter, right to data protection set out in Article 8 of the Charter, the **right to engage in work, protected by Article 15 of the Charter, the** freedom to conduct business and the freedom of contract, which are protected by Article 16 of the Charter, the right to property, protected by Article 17 of **the Charter, right to non-discrimination as protected by Article 21 by** the Charter, right to collective bargaining and action protected by Article 26 of the Charter and the right to an effective judicial remedy and to a fair trial as provided for in Article 47 of the Charter. Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in

that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. The Regulation should not affect the autonomy of the social partners as recognised by the TFEU.

accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. The Regulation should not affect the autonomy of the social partners as recognised by the TFEU.

Or. en

Amendment 118
Miriam Lexmann

Proposal for a regulation
Recital 36

Text proposed by the Commission

(36) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union (the ‘Charter’). In particular, it respects the right to privacy *of the economic operators* enshrined in Article 7 of the Charter, right to data protection set out in Article 8 of the Charter, the freedom to conduct business *and* the freedom of contract, which are protected by Article 16 of the Charter, the right to property, protected by Article 17 of the Charter, right to collective bargaining *and* action protected by Article 26 of the Charter *and* the right to an effective judicial remedy and to a fair trial as provided for in Article 47 of the Charter. Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go

Amendment

(36) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union (the ‘Charter’). In particular, it respects the right to privacy enshrined in Article 7 of the Charter, right to data protection set out in Article 8 of the Charter, the freedom to conduct business, *to choose an occupation and right to engage in work*, the freedom of contract, which are protected by Article **15 and 16** of the Charter, the right to property, protected by Article 17 of the Charter, *the* right to collective bargaining, *collective* action *including the right to strike* protected by **Article 28 and** Article 26 of the Charter *as well as* the right to an effective judicial remedy and to a fair trial as provided for in Article 47 of the Charter. Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with

beyond what is necessary in order to achieve that objective. The Regulation should not affect the autonomy of the social partners as recognised by the TFEU.

the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. The Regulation should not affect the autonomy of the social partners as recognised by the TFEU.

Or. en

Amendment 119

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Recital 38

Text proposed by the Commission

(38) The Union framework shall include interregional elements to establish coherent, multi-sectoral, cross-border Single Market vigilance and emergency response measures, in particular considering the resources, capacities and vulnerabilities across neighbouring regions, specifically border regions.

Amendment

(38) The Union framework shall include interregional elements to establish coherent, multi-sectoral, cross-border Single Market vigilance and emergency response measures, in particular considering the resources, capacities and vulnerabilities across neighbouring regions, specifically border regions, ***with a special focus on workers' rights and working conditions of cross-border and frontier workers.***

Or. en

Amendment 120

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 38

Text proposed by the Commission

(38) The Union framework shall include interregional elements to establish coherent, multi-sectoral, cross-border Single Market vigilance and emergency response measures, in particular considering the resources, capacities and

Amendment

(38) The Union framework shall include interregional elements to establish coherent, multi-sectoral, cross-border Single Market vigilance and emergency response measures, in particular considering the resources, capacities and

vulnerabilities across neighbouring regions, specifically border regions.

vulnerabilities across neighbouring regions, specifically border regions ***and cross-border workers in their local labour markets.***

Or. en

Amendment 121

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

1. This Regulation establishes a framework of measures to anticipate, prepare for and respond to impacts of crises on the Single Market, with the purpose of safeguarding the free movement of goods, services and persons and of ensuring the availability of goods and services of strategic importance and crisis-relevant goods and services in the Single Market.

Amendment

1. This Regulation establishes a framework of measures to anticipate, ***prevent***, prepare for and respond to impacts of crises on the Single Market, with the purpose of safeguarding the free movement of goods, services and persons, ***the functioning of the labour market, mobile and cross-border workers' safety when exercising free movement, a high level of environmental, social and consumer protection*** and of ensuring the availability of goods and services of strategic importance and crisis-relevant goods and services in the Single Market.

Or. en

Amendment 122

Miriam Lexmann

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

1. This Regulation ***establishes a framework of measures to anticipate, prepare for and respond to impacts of crises on the Single Market, with the purpose of safeguarding*** the free

Amendment

1. ***The aim of*** this Regulation ***is to strengthen the resilience of internal market and to ensure its proper functioning by setting out a harmonised framework for an effective response to***

movement of goods, services and persons
*and of ensuring the availability of goods
and services of strategic importance and
crisis-relevant goods and services in the
Single Market.*

crises *as well as to facilitate* the free
movement of goods, services and persons.

Or. en

Amendment 123

Abir Al-Sahlani, Atidzhe Alieva-Veli

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

1. This Regulation establishes a framework of measures to anticipate, prepare for and *respond to* impacts of crises *on* the Single Market, with the purpose of safeguarding the free movement of goods, services and persons and of *ensuring the availability of goods and services of strategic importance and* crisis-relevant goods and services in the Single Market.

Amendment

1. This Regulation establishes a framework of measures to anticipate, prepare for and *address the* impacts of crises *disrupting* the Single Market, with the purpose of safeguarding the free movement of goods, services and persons and of *facilitating access to* crisis-relevant goods and services in the Single Market.

Or. en

Amendment 124

Kim Van Sparrentak

Proposal for a regulation

Article 1 – paragraph 2 – point c

Text proposed by the Commission

(c) contingency measures aiming at anticipation and planning;

Amendment

(c) contingency measures aiming at anticipation, *preparing, preventing* and planning;

Or. en

Amendment 125

Kim Van Sparrentak
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. This Regulation shall not in any way affect the exercise of fundamental rights as recognised in the Member States and at Union level, including the right or freedom to strike or to take other action covered by the specific industrial relations systems in Member States, in accordance with national law and/or practice. Nor does it affect the right to negotiate, to conclude and enforce collective agreements, or to take collective action in accordance with national law and/or practice.

Or. en

Amendment 126
Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation
Article 1 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. This Regulation shall not in any way affect the exercise of fundamental rights as recognised in the Member States and at Union level, including the right or freedom to strike or to take other action covered by the specific industrial relations systems in Member States, in accordance with national law and/or practice. Nor does it affect the right to negotiate, to conclude and enforce collective agreements, or to take collective action in accordance with national law and/or practice.

Or. en

Amendment 127
Miriam Lexmann

Proposal for a regulation
Article 1 – paragraph 3

Text proposed by the Commission

3. Member States shall regularly exchange information on all matters falling within the scope of this Regulation among themselves and with the Commission.

Amendment

3. Member States shall regularly exchange information on all matters falling within the scope of this Regulation among themselves and with the Commission. ***The European Parliament shall have access to all information and documents and obtain them at the same time as the Council.***

Or. en

Amendment 128
Kim Van Sparrentak
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 3

Text proposed by the Commission

3. Member States shall regularly exchange information on all matters falling within the scope of this Regulation among themselves and with the Commission.

Amendment

3. Member States shall regularly exchange information on all matters falling within the scope of this Regulation among themselves, ***with the advisory group, the European Parliament*** and with the Commission.

Or. en

Amendment 129
Abir Al-Sahlani, Atidzhe Alieva-Veli, Dragoş Pîslaru

Proposal for a regulation
Article 1 a (new)

Text proposed by the Commission

Amendment

Article 1 a

General principles

1. In order to ensure fulfilment of the obligations arising from the Treaty, and, in particular, to ensure the proper functioning of the internal market, Member States shall, on the one hand, abstain from adopting measures or engaging in conduct liable to constitute an obstacle to trade and, on the other hand, take all necessary and proportionate measures with a view to facilitating the free movement of goods, services and persons in their territory.

A Member State on the territory of which obstacles to the free movement of goods, services or persons occur shall take all necessary and proportionate measures to restore as soon as possible the free movement in their territory in order to avoid the risk that the disruption or loss in question will continue, increase or intensify and that there may be a breakdown in trade and in the contractual relations which underlie it. The Member State shall inform the Commission and, if requested, other Member States of the measures it has taken or intends to take in order to fulfil this objective.

2. This Regulation shall not be interpreted as affecting in any way the exercise of fundamental rights as recognised in Member States, including the right or freedom to strike. These rights may also include the right or freedom to take other actions covered by the specific industrial relations systems in Member States.

Or. en

Amendment 130

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 2 – paragraph 1

Text proposed by the Commission

Amendment

1. The measures set out in this Regulation apply in relation to significant impacts of a crisis on the functioning of the Single Market and its supply chains.

1. The measures set out in this Regulation apply in relation to significant impacts of a crisis on the functioning of the Single Market and its supply chains, ***while fully respecting and safeguarding fundamental human rights as laid down in the European Social Charter and the Charter of Fundamental Rights of the European Union..***

Or. en

Amendment 131

Abir Al-Sahlani, Dragoş Pişlaru

Proposal for a regulation

Article 2 – paragraph 1

Text proposed by the Commission

Amendment

1. The measures set out in this Regulation apply in relation to significant impacts of a crisis on the functioning of the Single Market ***and its supply chains.***

1. The measures set out in this Regulation apply in relation to significant impacts of a crisis on the functioning of the Single Market, ***in order to safeguard the rights as laid down in the Treaties, in particular the right to free movement of goods, services and persons.***

Or. en

Amendment 132

Dennis Radtke

Proposal for a regulation

Article 2 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. This Regulation shall not in any way affect the exercise of fundamental rights as recognised in the Member States and at Union level, including the right or freedom to strike or to take other action covered by the specific industrial relations

systems in Member States, in accordance with national law and/or practice. Nor does it affect the right to negotiate, to conclude and enforce collective agreements, or to take collective action in accordance with national law and/or practice.

Or. en

Amendment 133

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation Article 2 – paragraph 7

Text proposed by the Commission

7. Any actions under this Regulation shall be consistent with Union's obligations under international law

Amendment

7. Any actions under this Regulation shall be consistent with Union's obligations under international law, ***including human rights and workers' rights obligations of the Union and its Member States resulting from international human rights instruments.***

Or. en

Amendment 134

Kim Van Sparrentak
on behalf of the Verts/ALE Group

Proposal for a regulation Article 2 – paragraph 7

Text proposed by the Commission

7. Any actions under this Regulation shall be consistent with Union's obligations under international law

Amendment

7. Any actions under this Regulation shall be consistent with Union's obligations under international law, ***including human rights obligations of the Union and its Member States as they result from international human rights instruments.***

Or. en

Amendment 135

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 3 – paragraph 1 – point 1

Text proposed by the Commission

(1) ‘crisis’ means an exceptional unexpected and sudden, natural or man-made event of extraordinary nature and scale that takes place inside or outside of the Union;

Amendment

(1) ‘crisis’ means an exceptional unexpected and sudden, natural or man-made event of extraordinary nature and scale, ***with the exclusion of collective actions***, that takes place inside or outside of the Union ***and results or risks to result in a significant disruption of the supply of goods and services***;

Neither the exercise of fundamental rights, nor the rights in itself, can ever be considered constituent elements of a crisis;

Or. en

Amendment 136

Miriam Lexmann

Proposal for a regulation

Article 3 – paragraph 1 – point 1

Text proposed by the Commission

(1) ‘crisis’ means an exceptional unexpected and sudden, natural or man-made event of extraordinary nature and scale that takes place inside or outside of the Union;

Amendment

(1) ‘crisis’ means an exceptional unexpected and sudden, natural or man-made event of extraordinary nature and scale that takes place inside or outside of the Union ***which has a detrimental impact on the proper functioning of the internal market including free movement of goods, services or persons***;

Or. en

Amendment 137

Abir Al-Sahlani

Proposal for a regulation

Article 3 – paragraph 1 – point 1

Text proposed by the Commission

(1) ‘crisis’ means an exceptional unexpected and sudden, natural or man-made event of extraordinary nature and scale that takes place inside or outside of the Union;

Amendment

(1) ‘crisis’ means an exceptional unexpected and sudden, natural or man-made event of extraordinary nature and scale that takes place inside or outside of the Union ***which creates or risks creating a significant adverse impact on the free movement of goods, services or persons on the Single Market;***

Or. en

Amendment 138

Kim Van Sparrentak

Proposal for a regulation

Article 3 – paragraph 1 – point 1

Text proposed by the Commission

(1) ‘crisis’ means an exceptional unexpected and sudden, natural or man-made event of extraordinary nature and scale that takes place inside or outside of the Union;

Amendment

(1) ‘crisis’ means an exceptional unexpected and sudden, natural or man-made event of extraordinary nature and scale, ***with the exclusion of collective actions,*** that takes place inside or outside of the Union;

Or. en

Amendment 139

Abir Al-Sahlani

Proposal for a regulation

Article 3 – paragraph 1 – point 2

Text proposed by the Commission

(2) ‘Single Market vigilance mode’ means a framework for addressing a threat of ***significant disruption of the supply*** of goods ***and services of strategic importance***

Amendment

(2) ‘Single Market vigilance mode’ means a framework for addressing a threat of ***the free movement*** of goods, services ***or persons*** and which has the potential to

and which has the potential to escalate into a Single Market emergency within the next six months;

escalate into a Single Market emergency within the next six months;

Or. en

Amendment 140
Miriam Lexmann

Proposal for a regulation
Article 3 – paragraph 1 – point 2

Text proposed by the Commission

(2) ‘Single Market vigilance mode’ means a framework for addressing a threat of significant disruption of the supply of goods and services of **strategic** importance and which has the potential to escalate into a Single Market emergency within the next six months;

Amendment

(2) ‘Single Market vigilance mode’ means a framework for addressing a threat of significant disruption of the supply of goods and services of **critical** importance and which has the potential to escalate into a Single Market emergency within the next six months;

Or. en

Amendment 141
Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation
Article 3 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘Single Market emergency’ means a wide-ranging impact of a crisis on the Single Market that severely disrupts the free movement on the Single Market or the functioning of the supply chains that are indispensable in the maintenance of vital societal or economic activities in the Single Market;

Amendment

(3) ‘Single Market emergency’ means a wide-ranging impact of a crisis on the Single Market, **with the exception of the exercise of fundamental rights, including collective actions**, that severely disrupts the free movement on the Single Market or the functioning of the supply chains that are indispensable in the maintenance of vital societal or economic activities in the Single Market;

Or. en

Amendment 142
Abir Al-Sahlani, Dragoş Pîslaru

Proposal for a regulation
Article 3 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘Single Market emergency’ means a wide-ranging impact of a crisis on the Single Market that severely disrupts the free movement on the Single Market or the functioning of *the* supply chains that are indispensable in the maintenance of vital societal or economic activities in the Single Market;

Amendment

(3) ‘Single Market emergency’ means a wide-ranging impact of a crisis on the Single Market that severely disrupts the free movement *of goods, services or persons* on the Single Market or the functioning of supply chains that are indispensable in the maintenance of vital societal or economic activities in the Single Market;

Or. en

Amendment 143
Miriam Lexmann

Proposal for a regulation
Article 3 – paragraph 1 – point 4

Text proposed by the Commission

(4) ‘*strategically* important areas’ means those areas with critical importance to the Union and its Member States, in that they are of systemic and vital importance for public security, public safety, public order or public health, and the disruption, failure, loss or destruction of which would have a significant impact on the functioning of the Single Market;

Amendment

(4) ‘*critically* important areas’ means those areas with critical importance to the Union and its Member States, in that they are of systemic and vital importance for public security, public safety, public order or public health, and the disruption, failure, loss or destruction of which would have a significant impact on the functioning of the Single Market;

Or. en

Amendment 144
Abir Al-Sahlani

Proposal for a regulation
Article 3 – paragraph 1 – point 4

Text proposed by the Commission

(4) ‘**strategically** important areas’ means those areas with critical importance to the Union and its Member States, in that they are of systemic and vital importance for public security, public safety, public order or public health, and the disruption, failure, loss or destruction of which would have a significant impact on the functioning of the Single Market;

Amendment

(4) ‘**critically** important areas’ means those areas with critical importance to the Union and its Member States, in that they are of systemic and vital importance for public security, public safety, public order or public health, and the disruption, failure, loss or destruction of which would have a significant impact on the functioning of the Single Market;

Or. en

Amendment 145

Kim Van Sparrentak

Proposal for a regulation

Article 3 – paragraph 1 – point 5

Text proposed by the Commission

(5) ‘goods and services of strategic importance’ means goods and services that are indispensable for ensuring the functioning of the Single Market in strategically important areas and which cannot be substituted or diversified;

Amendment

(5) ‘goods and services of strategic importance’ means goods and services that are indispensable for ensuring the functioning of the Single Market in strategically important areas and which cannot be substituted or diversified **in a timely manner**;

Or. en

Amendment 146

Abir Al-Sahlani

Proposal for a regulation

Article 3 – paragraph 1 – point 5

Text proposed by the Commission

(5) ‘goods and services of **strategic** importance’ means goods and services that are indispensable for ensuring the functioning of the Single Market in **strategically** important areas and which cannot be substituted or diversified;

Amendment

(5) ‘goods and services of **critical** importance’ means goods and services that are indispensable for ensuring the functioning of the Single Market in **critically** important areas and which cannot be substituted or diversified;

Amendment 147
Miriam Lexmann

Proposal for a regulation
Article 3 – paragraph 1 – point 5

Text proposed by the Commission

(5) ‘goods and services of **strategic** importance’ means goods and services that are indispensable for ensuring the functioning of the Single Market in **strategically** important areas and which cannot be substituted or diversified;

Amendment

(5) ‘goods and services of **critical** importance’ means goods and services that are indispensable for ensuring the functioning of the Single Market in **critically** important areas and which cannot be substituted or diversified;

Or. en

Amendment 148
Abir Al-Sahlani

Proposal for a regulation
Article 3 – paragraph 1 – point 7

Text proposed by the Commission

(7) ‘**strategic** reserves’ means a stock of goods of **strategic** importance for which building a reserve may be necessary to prepare for a Single Market emergency, under the control of a Member State.

Amendment

(7) ‘**critical** reserves’ means a stock of goods of **critical** importance for which building a reserve may be necessary to prepare for a Single Market emergency, under the control of a Member State.

Or. en

Amendment 149
Abir Al-Sahlani, Dragoş Pîslaru

Proposal for a regulation
Article 3 – paragraph 1 – point 7 a (new)

Text proposed by the Commission

Amendment

(7 a) ‘economic operator’ means the manufacturer, the authorised

representative, the importer and the distributor as defined in Regulation 765/2008/EC or a provider who offers or provides a service as defined in Directive 2006/123/EC;

Or. en

Amendment 150

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. The advisory group shall be composed of one representative from each Member State. Each Member State shall nominate a representative and an alternate representative.

Amendment

2. The advisory group shall be composed of one representative from each Member State. Each Member State shall nominate a representative and an alternate representative. *Cross-industry social partner organisations at Union level may designate four representatives to the advisory group that will be composed of at least 50% representation of trade union organisations.*

Or. en

Amendment 151

Abir Al-Sahlani, Atidzhe Alieva-Veli

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

3. The Commission shall chair the advisory group and ensure its secretariat. The *Commission may* invite a representative of the European Parliament, representatives of EFTA States that are contracting parties to the Agreement on the European Economic Area⁴⁹, representatives of economic operators, stakeholder organisations, social partners

Amendment

3. The Commission shall chair the advisory group and ensure its secretariat. The *advisory group shall* invite a representative of the European Parliament, representatives of EFTA States that are contracting parties to the Agreement on the European Economic Area⁴⁹, representatives of economic operators, stakeholder organisations, *the*

and experts, to attend meetings of the advisory group as observers. It shall invite the representatives of other crisis-relevant bodies at Union level as observers to the relevant meetings of the advisory group.

⁴⁹ OJ L 1, 3.1.1994, p. 3.

European social partners and experts, to attend meetings of the advisory group as observers. It shall invite the representatives of other crisis-relevant bodies at Union level as observers to the relevant meetings of the advisory group.

⁴⁹ OJ L 1, 3.1.1994, p. 3.

Or. en

Amendment 152

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation Article 4 – paragraph 3

Text proposed by the Commission

3. The Commission shall chair the advisory group and ensure its secretariat. The Commission may invite a representative of the European Parliament, representatives of EFTA States that are contracting parties to the Agreement on the European Economic Area⁴⁹, representatives of economic operators, stakeholder organisations, **social partners** and experts, to attend meetings of the advisory group as observers. It shall invite the representatives of other crisis-relevant bodies at Union level as observers to the relevant meetings of the advisory group.

⁴⁹ OJ L 1, 3.1.1994, p. 3.

Amendment

3. The Commission shall chair the advisory group and ensure its secretariat. The Commission may invite a representative of the European Parliament, representatives of EFTA States that are contracting parties to the Agreement on the European Economic Area⁴⁹, **additional** representatives of **trade unions**. economic operators, stakeholder organisations and experts, to attend meetings of the advisory group as observers. It shall invite the representatives of other crisis-relevant bodies at Union level as observers to the relevant meetings of the advisory group.

⁴⁹ OJ L 1, 3.1.1994, p. 3.

Or. en

Amendment 153

Kim Van Sparrentak
on behalf of the Verts/ALE Group

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

3. The Commission shall chair the advisory group and ensure its secretariat. The Commission **may invite** a representative of the European Parliament, representatives of EFTA States that are contracting parties to the Agreement on the European Economic Area⁴⁹, representatives of economic operators, stakeholder organisations, social partners and experts, to attend meetings of the advisory group as observers. It shall invite the representatives of other crisis-relevant bodies at Union level as observers to the relevant meetings of the advisory group.

⁴⁹ OJ L 1, 3.1.1994, p. 3.

Amendment

3. The Commission shall chair the advisory group and ensure its secretariat. The Commission **shall ensure the presence of** a representative of the European Parliament, representatives of EFTA States that are contracting parties to the Agreement on the European Economic Area, representatives of economic operators, stakeholder organisations, social partners and experts, to attend meetings of the advisory group as observers. It shall invite the representatives of other crisis-relevant bodies at Union level as observers to the relevant meetings of the advisory group.

Or. en

Amendment 154

Kim Van Sparrentak

Proposal for a regulation

Article 4 – paragraph 4 – introductory part

Text proposed by the Commission

4. For the purpose of contingency planning under Articles 6 to 8, the advisory group shall assist and advise the Commission as regards the following tasks:

Amendment

4. For the purpose of contingency planning **and strengthening the Single Market's resilience** under Articles 6 to 8, the advisory group shall assist and advise the Commission as regards the following tasks:

Or. en

Amendment 155

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 4 – point b

Text proposed by the Commission

(b) ***assessing*** significant incidents that the Member States have alerted the Commission to.

Amendment

(b) ***assessing*** significant incidents that the Member States have alerted the Commission to ***with regards to their impact on the free movement of goods, persons and services and on the labour market.***

Or. en

Amendment 156
Kim Van Sparrentak
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 4 – point b a (new)

Text proposed by the Commission

Amendment

(b a) proposing and assessing measures to be taken by the European Commission to strengthen the Single Market's resilience such as mapping of relevant supply chains with relevant economic operators and technology and stress tests conducted by the European Commission.

Or. en

Amendment 157
Marc Angel, Agnes Jongerius, Vilija Blinkevičiūtė, Elisabetta Gualmini, Aurore Lalucq, Brando Benifei, Milan Brglez, Daniela Rondinelli, João Albuquerque

Proposal for a regulation
Article 4 – paragraph 5 – point c

Text proposed by the Commission

Amendment

(c) consulting the representatives of economic operators, including SMEs, and industry to collect market intelligence;

(c) consulting the representatives of ***trade unions***, economic operators, including SMEs, and industry to collect market intelligence ***and to better***

understand the social impacts of the potential crisis and to anticipate implications on the labour market;

Or. en

Amendment 158

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 4 – paragraph 5 – point c

Text proposed by the Commission

(c) consulting the representatives of economic operators, including SMEs, and industry to collect **market** intelligence;

Amendment

(c) consulting the representatives of **trade unions and** economic operators, including SMEs, and industry to **analyse the impact on workers' rights and** collect **socio-economic** intelligence;

Or. en

Amendment 159

Kim Van Sparrentak

Proposal for a regulation

Article 4 – paragraph 5 – point c

Text proposed by the Commission

(c) consulting the representatives of economic operators, including SMEs, and industry to collect market intelligence;

Amendment

(c) consulting the representatives of economic operators, including SMEs, and industry to collect market intelligence **and understand the impact on the labour market;**

Or. en

Amendment 160

Abir Al-Sahlani, Atidzhe Alieva-Veli

Proposal for a regulation

Article 4 – paragraph 5 – point c a (new)

Text proposed by the Commission

Amendment

(c a) consulting the European social partners on the impact of the threat referred to in Article 3(2) on the labour markets of the Member States and the free movement of workers particularly cross-border workers;

Or. en

Amendment 161
Miriam Lexmann

Proposal for a regulation
Article 4 – paragraph 5 – point c a (new)

Text proposed by the Commission

Amendment

(c a) consulting the workers representatives in order to collect information and analyse possible effects on the labour market;

Or. en

Amendment 162
Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation
Article 4 – paragraph 5 – point f

Text proposed by the Commission

Amendment

(f) maintaining a repository of national and Union crisis measures that have been used in previous crises that have had an impact on the Single Market and its supply chains

(f) maintaining a repository of national and Union crisis measures that have been used in previous crises that have had an impact on ***workers' rights and working conditions as well as in*** the Single Market and its supply chains

Or. en

Amendment 163

Abir Al-Sahlani, Atidzhe Alieva-Veli, Dragoş Pîslaru

Proposal for a regulation

Article 4 – paragraph 6 – point a a (new)

Text proposed by the Commission

Amendment

(a a) consulting the representatives of economic operators, including SMEs, and industry to collect market intelligence and assess the impact of the emergency as referred to in Article 3(3);

Or. en

Amendment 164

Abir Al-Sahlani

Proposal for a regulation

Article 4 – paragraph 6 – point a b (new)

Text proposed by the Commission

Amendment

(a b) consulting the European social partners on the impact of the emergency on the labour markets of the Member States and the free movement of workers particularly cross-border workers;

Or. en

Amendment 165

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 4 – paragraph 7

Text proposed by the Commission

Amendment

7. The Commission shall ensure the participation of all bodies at Union level that are relevant to the respective crisis. The advisory group shall cooperate and coordinate closely, where appropriate, with other relevant crisis-related bodies at

7. The Commission shall ensure the participation of all bodies at Union level that are relevant to the respective crisis. The advisory group shall cooperate and coordinate closely, where appropriate, with other relevant crisis-related bodies at

Union level. The Commission shall ensure coordination with the measures implemented through other Union mechanisms, such as the Union Civil Protection Mechanism (UCPM) or the EU Health Security Framework. The advisory group shall ensure information exchange with the Emergency Response Coordination Centre under the UCPM.

Union level. The Commission shall ensure coordination with the measures implemented through other Union mechanisms, such as the Union Civil Protection Mechanism (UCPM) or the EU Health Security Framework. The advisory group shall ensure information exchange with the Emergency Response Coordination Centre under the UCPM. ***The Commission shall annually report to the European Parliament on the work of the advisory board.***

Or. en

Amendment 166

Marc Angel, Agnes Jongerius, Vilija Blinkevičiūtė, Elisabetta Gualmini, Aurore Lalucq, Brando Benifei, Milan Brglez, Daniela Rondinelli, João Albuquerque

Proposal for a regulation Article 4 – paragraph 9

Text proposed by the Commission

9. The advisory group may adopt opinions, recommendations or reports in the context of its tasks set out in paragraphs 4 to 6.

Amendment

9. The advisory group may adopt opinions, recommendations or reports in the context of its tasks set out in paragraphs 4 to 6. ***Opinions, recommendations or reports of the advisory group shall be made public without undue delay.***

Or. en

Amendment 167

Abir Al-Sahlani, Dragoş Pîslaru

Proposal for a regulation Article 4 – paragraph 9

Text proposed by the Commission

9. The advisory group ***may*** adopt opinions, recommendations or reports in the context of its tasks set out in paragraphs 4 to 6.

Amendment

9. The advisory group ***shall*** adopt opinions, recommendations or reports in the context of its tasks set out in paragraphs 4 to 6. ***Opinions,***

recommendations or reports shall be made public, in accordance with Directive 2016/943.

Or. en

Amendment 168

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 4 – paragraph 9

Text proposed by the Commission

9. The advisory group may adopt opinions, recommendations or reports in the context of its tasks set out in paragraphs 4 to 6.

Amendment

9. The advisory group may adopt opinions, recommendations or reports in the context of its tasks set out in paragraphs 4 to 6, ***which shall be made public without delay.***

Or. en

Amendment 169

Abir Al-Sahlani, Dragoş Pîslaru

Proposal for a regulation

Article 6 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission taking into consideration the opinion of the advisory group and the input of relevant Union level bodies, ***is empowered*** after consulting the Member States, to adopt a delegated act to supplement this Regulation with a framework setting out crisis protocols regarding crisis cooperation, exchange of information and crisis communication for the Single Market vigilance and emergency modes, in particular:

Amendment

1. The Commission taking into consideration the opinion of the advisory group and the input of relevant Union level bodies ***and*** after consulting the Member States, ***is empowered*** to adopt a delegated act to supplement this Regulation with a framework setting out crisis protocols regarding crisis cooperation, exchange of information and crisis communication for the Single Market vigilance and emergency modes, in particular:

Or. en

Amendment 170
Abir Al-Sahlan, Dragoş Pîslaru

Proposal for a regulation
Article 6 – paragraph 1 – point c

Text proposed by the Commission

(c) a coordinated approach to risk and crisis communication ***also vis-à-vis*** the public with a coordinating role for the Commission;

Amendment

(c) a coordinated approach to risk and crisis communication ***with both economic operators and*** the public with a coordinating role for the Commission;

Or. en

Amendment 171
Kim Van Sparrentak
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 6 – paragraph 1 – point c

Text proposed by the Commission

(c) a coordinated approach to risk and crisis communication also vis-à-vis the public with a coordinating role for the Commission;

Amendment

(c) a coordinated approach to risk and crisis communication also vis-à-vis the public ***and stakeholders*** with a coordinating role for the Commission;

Or. en

Amendment 172
Daniela Rondinelli, Marc Angel, Brando Benifei, Aurore Lalucq, Vilija Blinkevičiūtė, Agnes Jongerius

Proposal for a regulation
Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Where the Commission, in adopting a delegated act, does not take into consideration the opinion of the advisory group, shall provide a written justification in order to explain the reasons.

Amendment 173

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 6 – paragraph 2 – point b

Text proposed by the Commission

(b) consultation of the representatives of economic operators **and social partners**, including SMEs, on their initiatives and actions to mitigate and respond to potential supply chain disruptions and overcome potential shortages of goods and services in the Single Market;

Amendment

(b) consultation of the representatives of **trade unions and** economic operators, including SMEs, on their initiatives and actions **to secure worker's rights and working conditions**, to mitigate and respond to potential supply chain disruptions and overcome potential shortages of goods and services in the Single Market, **including the impact of such initiatives on workers' rights and working conditions**;

Or. en

Amendment 174

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 6 – paragraph 2 – point b

Text proposed by the Commission

(b) consultation of the representatives of economic operators and social partners, including SMEs, on their **initiatives and** actions to **mitigate and** respond to **potential** supply chain disruptions and **overcome** potential shortages of goods and services in the Single Market;

Amendment

(b) consultation of the representatives of economic operators and social partners, including SMEs, on their actions to respond to **possible** supply chain disruptions and **resolve** potential shortages of goods and services in the Single Market, **including their impact on the labour markets and measures put in place to protect the safety and rights of workers in the identified strategic areas**;

Or. en

Amendment 175

Abir Al-Sahlani

Proposal for a regulation

Article 6 – paragraph 2 – point b

Text proposed by the Commission

(b) consultation of the representatives of economic operators **and social partners**, including SMEs, **on their initiatives and actions to mitigate and respond to** potential supply chain disruptions **and overcome potential shortages of goods and services** in the Single Market;

Amendment

(b) consultation of the representatives of economic operators including SMEs, **and the European social partners to collect market intelligence regarding their capacity and preparedness to manage potential disruption of the free movement of goods, services or persons particularly workers, and overcome** potential supply chain disruptions in the Single Market,

Or. en

Amendment 176

Marc Angel, Agnes Jongerius, Vilija Blinkevičiūtė, Elisabetta Gualmini, Aurore Lalucq, Brando Benifei, Milan Brglez, Daniela Rondinelli, João Albuquerque

Proposal for a regulation

Article 6 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(b a) Consultation of trade unions on labour market implications as well as the safety, health and rights of workers in the areas of critical importance.

Or. en

Amendment 177

Miriam Lexmann

Proposal for a regulation

Article 6 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

*(b a) informing the workers
representatives on the potential impact on
the labour market;*

Or. en

Amendment 178

Kim Van Sparrentak

Proposal for a regulation

Article 8 – paragraph 3 – point a

Text proposed by the Commission

(a) the number of economic operators affected by the disruption or potential disruption;

Amendment

(a) the number of economic operators affected by the disruption or potential disruption, *including possible disruptions of the labour market;*

Or. en

Amendment 179

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 8 – paragraph 3 – point a

Text proposed by the Commission

(a) the number of economic operators affected by the disruption or potential disruption;

Amendment

(a) the number of economic operators *and workers* affected by the disruption or potential disruption;

Or. en

Amendment 180

Abir Al-Sahlani, Atidzhe Alieva-Veli, Dragoş Pîslaru

Proposal for a regulation

Article 8 – paragraph 3 – point a a (new)

Text proposed by the Commission

Amendment

(a a) the impact of the disruption on the

labour markets of the Member States and the free movement of workers particularly cross-border workers;

Or. en

Amendment 181

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

1. Where the Commission, taking into consideration the opinion provided by the advisory group, considers that the threat referred to in Article 3(2) is present, it shall activate the vigilance mode for a maximum duration of six months by means of an implementing act. Such an implementing act shall contain the following:

Amendment

1. Where the Commission, taking into consideration the opinion provided by the advisory group, considers that the threat referred to in Article 3(2) is present, it shall activate the vigilance mode for a maximum duration of six months by means of an implementing act ***and report such activation to the European Parliament without delay.*** Such an implementing act shall contain the following:

Or. en

Amendment 182

Marc Angel, Agnes Jongerius, Vilija Blinkevičiūtė, Elisabetta Gualmini, Aurore Lalucq, Brando Benifei, Milan Brglez, Daniela Rondinelli, João Albuquerque

Proposal for a regulation

Article 9 – paragraph 2

Text proposed by the Commission

2. The implementing act referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 41(2).

Amendment

2. The implementing act referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 41(2). ***The Commission shall report any activation of the vigilance mode to the European Parliament and the Council without undue delay.***

Or. en

Amendment 183
Miriam Lexmann

Proposal for a regulation
Article 9 – paragraph 2

Text proposed by the Commission

2. The implementing act referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 41(2).

Amendment

2. The implementing act referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 41(2) **and announced to the European Parliament and the Council.**

Or. en

Amendment 184
Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation
Article 10 – paragraph 1

Text proposed by the Commission

1. The Commission, if it considers that the reasons for activating the vigilance mode pursuant to Article 9(1) remain valid, and taking into consideration the opinion provided by the advisory group, may extend the vigilance mode for a maximum duration of six months by means of an implementing act.

Amendment

1. The Commission, if it considers that the reasons for activating the vigilance mode pursuant to Article 9(1) remain valid, and taking into consideration the opinion provided by the advisory group, may extend the vigilance mode for a maximum duration of six months by means of an implementing act. ***Such extension shall be reported to the European Parliament without delay.***

Or. en

Amendment 185
Miriam Lexmann

Proposal for a regulation
Article 10 – paragraph 1

Text proposed by the Commission

Amendment

1. The Commission, if it considers that the reasons for activating the vigilance mode pursuant to Article 9(1) remain valid, and taking into consideration the opinion provided by the advisory group, may extend the vigilance mode for a maximum duration of six months by means of an implementing act.

1. The Commission, if it considers that the reasons for activating the vigilance mode pursuant to Article 9(1) remain valid, and taking into consideration the opinion provided by the advisory group, may extend the vigilance mode for a maximum duration of six months by means of an implementing act ***announced to the European Parliament and the Council.***

Or. en

Amendment 186

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 10 – paragraph 2

Text proposed by the Commission

2. Where the Commission, taking into consideration the opinion provided by the advisory group, finds that the threat referred to in Article 3(2) is no longer present, with respect to some or all vigilance measures or for some or all of the goods and services, it shall deactivate the vigilance mode in full or in part by means of an implementing act.

Amendment

2. Where the Commission, taking into consideration the opinion provided by the advisory group, finds that the threat referred to in Article 3(2) is no longer present, with respect to some or all vigilance measures or for some or all of the goods and services, it shall deactivate the vigilance mode in full or in part by means of an implementing act. ***Such deactivation shall be reported to the European Parliament without delay.***

Or. en

Amendment 187

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 11 – paragraph 1

Text proposed by the Commission

1. When the vigilance mode has been activated in accordance with Article 9, national competent authorities shall

Amendment

1. When the vigilance mode has been activated in accordance with Article 9, national competent authorities shall

monitor the supply chains of goods and services of strategic importance that have been identified in the implementing act activating the vigilance mode.

monitor the supply chains of goods and services of strategic importance that have been identified in the implementing act activating the vigilance mode. ***Member States shall, in consultation with social partners, assess how workers and economic operators in the strategic areas identified might be affected by the potential crisis.***

Or. en

Amendment 188

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 11 – paragraph 1

Text proposed by the Commission

1. When the vigilance mode has been activated in accordance with Article 9, national competent authorities shall monitor the supply chains of goods and services of strategic importance that have been identified in the implementing act activating the vigilance mode.

Amendment

1. When the vigilance mode has been activated in accordance with Article 9, national competent authorities shall monitor the supply chains of goods and services of strategic importance that have been identified in the implementing act activating the vigilance mode, ***as well as the compliance with workers' rights and working conditions in the identified strategic areas. Trade unions shall be consulted for this purpose.***

Or. en

Amendment 189

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 11 – paragraph 4

Text proposed by the Commission

4. On the basis of the inventory set up pursuant to Article 6, national competent authorities shall address requests for

Amendment

4. On the basis of the inventory set up pursuant to Article 6, national competent authorities shall address requests for

voluntary provision of information to the most relevant operators along the supply chains of goods and services identified in the implementing act adopted pursuant to Article 9 and other relevant stakeholders established in their respective national territory. Such requests shall in particular **states** which information about factors impacting the availability of the identified goods and services of strategic importance **is** requested. Each economic operator/stakeholder that voluntarily provides information shall do so on an individual basis in line with the Union rules on competition governing the exchange of information. The national competent authorities shall transmit the relevant findings to the Commission and the advisory group without undue delay via the respective central liaison office.

voluntary provision of information to the most relevant operators along the supply chains of goods and services identified in the implementing act adopted pursuant to Article 9 and other relevant stakeholders established in their respective national territory. Such requests shall in particular **state** which information about factors impacting the availability of the identified goods and services of strategic importance **and about the impact on the labour market are** requested. Each economic operator/stakeholder that voluntarily provides information shall do so on an individual basis in line with the Union rules on competition governing the exchange of information. The national competent authorities shall transmit the relevant findings to the Commission and the advisory group without undue delay via the respective central liaison office.

Or. en

Amendment 190

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 11 – paragraph 6

Text proposed by the Commission

6. The Commission **may ask** the advisory group **to discuss** the findings and prospects of evolution based on the monitoring of supply chains of goods and services of strategic importance.

Amendment

6. The Commission **shall consult with** the advisory group **on** the findings and prospects of evolution based on the monitoring of supply chains of goods and services of strategic importance.

Or. en

Amendment 191

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 11 – paragraph 7

Text proposed by the Commission

7. On the basis of the information collected through the activities carried out in accordance with paragraph 1, the Commission **may** provide a report of the aggregated findings.

Amendment

7. On the basis of the information collected through the activities carried out in accordance with paragraph 1, the Commission **shall** provide a report of the aggregated findings.

Or. en

Amendment 192

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 12 – paragraph 1 – subparagraph 1

Text proposed by the Commission

The Commission may, among the goods of strategic importance listed in an implementing act adopted pursuant to Article 9(1), identify those for which it may be necessary to build a reserve in order to prepare for a Single Market emergency, taking into account the probability and impact of shortages. The Commission shall inform the Member States thereof.

Amendment

The Commission may, among the goods of strategic importance listed in an implementing act adopted pursuant to Article 9(1), identify those for which it may be necessary to build a reserve in order to prepare for a Single Market emergency, taking into account the probability and impact of shortages. The Commission shall inform the Member States, ***the European Parliament and the advisory board*** thereof.

Or. en

Amendment 193

Margarita de la Pisa Carrión

Proposal for a regulation

Article 12 – paragraph 6 – subparagraph 2 – subparagraph 1

Text proposed by the Commission

the Commission may adopt an implementing act, ***requiring*** the Member State in question ***to build*** up its strategic

Amendment

the Commission may adopt an implementing act, ***reminding*** the Member State in question ***of the desirability of***

reserves of the goods concerned by a set deadline.

building up its strategic reserves of the goods concerned by a set deadline.

Or. es

Justification

This amendment is necessary to ensure that the final decision lies with the Member States.

Amendment 194

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 13 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(a a) when the freedom of movement of persons, goods and/or on services was already or is likely to be severely impacted because of the crisis;

Or. en

Amendment 195

Miriam Lexmann

Proposal for a regulation

Article 13 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) an estimation of the number of economic operations or users relying on the disrupted sector or sectors of the Single Market for the provision of the goods or services concerned;

(b) the actual or potential future impact on the free movement of goods, services and persons, including an estimation of the number of economic operations or users relying on the disrupted sector or sectors of the Single Market for the provision of the goods or services concerned;

Or. en

Amendment 196

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 13 – paragraph 1 – point d

Text proposed by the Commission

(d) the impacts in terms of degree and duration on economic and societal activities, the environment and public safety;

Amendment

(d) the impacts in terms of degree and duration on economic and societal activities, the ***climate, the*** environment, ***the labour market*** and public safety;

Or. en

Amendment 197

Abir Al-Sahlani, Dragoş Pîslaru

Proposal for a regulation

Article 13 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(d a) the impact on the labour markets of the Member States and the free movement of workers particularly cross-border workers;

Or. en

Amendment 198

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 13 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) the market position of affected economic operators in the concerned sector or sectors;

deleted

Or. en

Amendment 199

Abir Al-Sahlani, Dragoş Pîslaru

Proposal for a regulation

Article 13 – paragraph 1 – point g

Text proposed by the Commission

(g) the geographic area that is and could be affected, including any cross-border impacts on the functioning of supply chains that are indispensable in the maintenance of vital societal or economic activities in the Single Market;

Amendment

(g) the geographic area that is and could be affected, including any cross-border impacts on ***free movement of goods, services or persons*** or the functioning of supply chains that are indispensable in the maintenance of vital societal or economic activities in the Single Market;

Or. en

Amendment 200

Miriam Lexmann

Proposal for a regulation

Article 13 – paragraph 1 – point g

Text proposed by the Commission

(g) the geographic area that is and could be affected, including any cross-border impacts on the functioning of supply chains that are indispensable in the maintenance of vital societal or economic activities in the Single Market;

Amendment

(g) the geographic area, ***including border regions***, that is and could be affected, including any cross-border impacts on the functioning of supply chains that are indispensable in the maintenance of vital societal or economic activities in the Single Market;

Or. en

Amendment 201

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 13 – paragraph 1 – point h

Text proposed by the Commission

(h) the importance of the ***affected*** economic ***operator*** in maintaining a sufficient level of supply of the goods or services, taking into account the availability of alternative means for the provision of those goods or services; and

Amendment

(h) the importance of the economic ***operators in the affected sector*** in maintaining a sufficient level of supply of the goods or services, taking into account the availability of alternative means for the provision of those goods or services; and

Or. en

Amendment 202

Abir Al-Sahlanı, Dragoş Pîslaru

Proposal for a regulation

Article 13 – paragraph 1 – point i

Text proposed by the Commission

(i) the absence of substitute goods, inputs or services.

Amendment

(i) the absence ***or shortages*** of substitute goods, inputs or services.

Or. en

Amendment 203

Miriam Lexmann

Proposal for a regulation

Article 13 – paragraph 1 – point i a (new)

Text proposed by the Commission

Amendment

(i a) the introduction of travel restrictions or border controls;

Or. en

Amendment 204

Miriam Lexmann

Proposal for a regulation

Article 13 – paragraph 1 – point i b (new)

(i b) the absence of arrangements enabling workers to cross the borders in order to fulfil their tasks with the special focus on workers in border regions;

Or. en

Amendment 205

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

**Proposal for a regulation
Article 14 – paragraph 2**

Text proposed by the Commission

Amendment

2. Where the Commission, taking into consideration the opinion provided by the advisory group, considers there is a Single Market emergency, it shall propose to the Council to activate the Single Market emergency mode.

2. Where the Commission, taking into consideration the opinion provided by the advisory group, considers there is a Single Market emergency, it shall propose to the Council to activate the Single Market emergency mode. ***The Commission shall inform the European Parliament of such proposal without delay.***

Or. en

Amendment 206

Kim Van Sparrentak

on behalf of the Verts/ALE Group

**Proposal for a regulation
Article 14 – paragraph 5**

Text proposed by the Commission

Amendment

5. As soon as the Single Market emergency mode is activated, the Commission shall, without delay, adopt a list of crisis-relevant goods and services by means of an implementing act. The list may be amended by means of implementing acts.

5. As soon as the Single Market emergency mode is activated, the Commission shall, ***in consultation with the advisory group including relevant stakeholders***, without delay, adopt a list of crisis-relevant goods and services ***and sectors that are notably depending on mobile workers*** by means of an implementing act. The list may be

amended by means of implementing acts.

Or. en

Amendment 207

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 14 – paragraph 5

Text proposed by the Commission

5. As soon as the Single Market emergency mode is activated, the Commission shall, without delay, adopt a list of crisis-relevant goods and services by means of an implementing act. The list may be amended by means of implementing acts.

Amendment

5. As soon as the Single Market emergency mode is activated, the Commission shall, without delay, ***consult the advisory group and*** adopt a list of crisis-relevant goods and services by means of an implementing act. The list may be amended by means of implementing acts.

Or. en

Amendment 208

Abir Al-Sahlani, Atidzhe Alieva-Veli, Dragoş Pîslaru

Proposal for a regulation

Part IV – title II – Chapter I – title

Text proposed by the Commission

I Measures for ***re-establishing*** and facilitating free movement

Amendment

I Measures for ***ensuring*** and facilitating free movement

Or. en

Amendment 209

Abir Al-Sahlani, Atidzhe Alieva-Veli

Proposal for a regulation

Article 16 – title

Text proposed by the Commission

Amendment

16 **General** requirements *for* measures restricting free movement to address a Single Market emergency

16 **Essential** requirements *to limit* measures restricting free movement to address a Single Market emergency

Or. en

Amendment 210

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 16 – paragraph 1

Text proposed by the Commission

1. When adopting and applying national measures in response to a Single Market emergency and the underlying crisis, Member States shall ensure that their actions fully comply with the Treaty and Union law and, in particular, with the requirements laid down in this Article.

Amendment

1. When adopting and applying national measures in response to a Single Market emergency and the underlying crisis, Member States shall ensure that their actions fully comply with the Treaty and Union law, ***as well as fundamental human rights and workers' rights*** and, in particular, with the requirements laid down in this Article.

Or. en

Amendment 211

Miriam Lexmann

Proposal for a regulation

Article 16 – paragraph 1

Text proposed by the Commission

1. When adopting and applying national measures in response to a Single Market emergency and the underlying crisis, Member States shall ensure that their actions ***fully comply*** with the Treaty and Union law and, in particular, with the requirements laid down in this Article.

Amendment

1. When adopting and applying national measures in response to a Single Market emergency and the underlying crisis, Member States shall ensure that their actions ***are justified, proportionate and in full compliance*** with the Treaty and Union law and, in particular, with the requirements laid down in this Article.

Or. en

Amendment 212

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 16 – paragraph 1

Text proposed by the Commission

1. When adopting and applying national measures in response to a Single Market emergency and the underlying crisis, Member States shall ensure that their actions fully comply with the Treaty and Union law and, in particular, with the requirements laid down in this Article.

Amendment

1. When adopting and applying national measures in response to a Single Market emergency and the underlying crisis, Member States shall ensure that their actions fully comply with the Treaty and Union law and, in particular, with ***fundamental rights and*** the requirements laid down in this Article.

Or. en

Amendment 213

Abir Al-Sahlani, Dragoş Pîslaru

Proposal for a regulation

Article 16 – paragraph 1

Text proposed by the Commission

1. ***When adopting and applying*** national measures in response to a Single Market emergency and the underlying crisis, Member ***States*** shall ensure that ***their actions*** fully comply with the Treaty and Union law and, in particular, with the requirements laid down in this Article.

Amendment

1. ***Where a Member States introduces*** national measures in response to a Single Market emergency and the underlying crisis, ***the*** Member ***State*** shall ensure that ***such measures*** fully comply with the Treaty and Union law and, in particular, with the requirements laid down in this Article.

Or. en

Amendment 214

Abir Al-Sahlani, Atidzhe Alieva-Veli

Proposal for a regulation

Article 16 – paragraph 2

Text proposed by the Commission

2. Any restriction shall be limited in time and removed as soon as the situation allows it. Additionally, any restriction should take into account the situation of border regions.

Amendment

2. Any restriction shall be ***justified, non-discriminatory, limited in time and proportionate to address the emergency on the Single Market. It shall be*** removed as soon as the situation allows it, ***and at the very latest when the emergency mode has been deactivated. Any restriction that is still in place when emergency mode has been deactivated shall have no legal effect on natural persons nor economic operators.*** Additionally, any restriction should take into account the situation of border regions.

Or. en

Amendment 215

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 16 – paragraph 2

Text proposed by the Commission

2. Any restriction shall be limited in time and removed as soon as the situation allows it. Additionally, any restriction should take into account the situation of border regions.

Amendment

2. Any restriction shall be limited in time and removed as soon as the situation allows it. Additionally, any restriction should take into account the situation of border regions ***and mobile workers, especially for cross-border and frontier workers.***

Or. en

Amendment 216

Miriam Lexmann

Proposal for a regulation

Article 16 – paragraph 2

Text proposed by the Commission

2. Any restriction shall be limited in time and removed as soon as the situation

Amendment

2. Any restriction shall be limited in time, ***regularly reviewed*** and removed as

allows it. Additionally, ***any restriction*** should ***take into account*** the situation of border regions.

soon as the situation allows it. Additionally, ***special attention*** should ***be paid to*** the situation of border regions ***and the situation of cross-border workers***.

Or. en

Amendment 217

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 16 – paragraph 2

Text proposed by the Commission

2. Any restriction shall be limited in time and removed as soon as the situation allows it. Additionally, any restriction should take into account the situation of border regions.

Amendment

2. Any restriction shall be limited in time and removed as soon as the situation allows it. Additionally, any restriction should take into account the situation of border regions ***and their cross-border and mobile workers***.

Or. en

Amendment 218

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 16 – paragraph 3

Text proposed by the Commission

3. ***Any requirement imposed on citizens and businesses shall not create an undue or unnecessary administrative burden.***

Amendment

deleted

Or. en

Amendment 219

Miriam Lexmann

Proposal for a regulation

Article 16 – paragraph 3

Text proposed by the Commission

3. Any requirement imposed on citizens **and businesses** shall not create an undue or unnecessary administrative burden.

Amendment

3. Any requirement imposed on citizens, **workers and economic operators** shall not create an undue or unnecessary administrative burden.

Or. en

Amendment 220

Abir Al-Sahlani, Atidzhe Alieva-Veli, Dragoş Pîslaru

Proposal for a regulation

Article 16 – paragraph 3

Text proposed by the Commission

3. Any requirement imposed on citizens and businesses shall not create an undue or unnecessary administrative burden.

Amendment

3. Any requirement imposed on citizens, **workers** and businesses shall not create an undue or unnecessary administrative burden.

Or. en

Amendment 221

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 16 – paragraph 3

Text proposed by the Commission

3. Any requirement imposed on citizens and businesses shall not create an undue or unnecessary administrative burden.

Amendment

3. Any requirement imposed on citizens, **workers** and businesses shall not create an undue or unnecessary administrative burden.

Or. en

Amendment 222

Abir Al-Sahlani, Atidzhe Alieva-Veli, Dragoş Pîslaru

Proposal for a regulation
Article 16 – paragraph 4

Text proposed by the Commission

4. Member States shall inform citizens, consumers, businesses, workers and their representatives about measures that affect their free movement rights in a clear **and** unambiguous manner.

Amendment

4. Member States shall inform citizens, consumers, businesses, workers and their representatives about measures that affect their free movement rights in a clear, unambiguous **and timely** manner. ***Such information should be accessible for persons with disabilities and made available in relevant languages in particular in cross-border areas.***

Or. en

Amendment 223
Kim Van Sparrentak
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 16 – paragraph 4

Text proposed by the Commission

4. Member States shall inform citizens, consumers, businesses, workers and their representatives about measures that affect their free movement rights in a clear and unambiguous manner.

Amendment

4. Member States shall inform citizens, consumers, businesses, workers and their representatives about measures that affect their free movement rights in a clear and unambiguous manner ***so as to ensure legal certainty and facilitate cross-border coordination in close cooperation with social partners at national and local level.***

Or. en

Amendment 224
Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation
Article 16 – paragraph 4

Text proposed by the Commission

Amendment

4. Member States shall inform citizens, consumers, businesses, workers and their representatives about measures that affect their free movement rights in a clear and unambiguous manner.

4. Member States shall inform citizens, consumers, businesses, workers and their representatives about measures that affect their free movement rights in a ***timely***, clear and unambiguous manner. ***In that sense, Member States shall cooperate with trade unions at local and national levels.***

Or. en

Amendment 225

Daniela Rondinelli, Marc Angel, Brando Benifei, Aurore Lalucq, Vilija Blinkevičiūtė, Agnes Jongerius

**Proposal for a regulation
Article 16 – paragraph 4**

Text proposed by the Commission

Amendment

4. Member States shall inform citizens, consumers, businesses, workers and their representatives about measures that affect their free movement rights in a clear and unambiguous manner.

4. Member States shall inform citizens, consumers, businesses, workers and their representatives about measures that affect their free movement rights in a clear and unambiguous manner. ***The information provided is made public and easily accessible electronically.***

Or. en

Amendment 226

Abir Al-Sahlanı, Atidzhe Alieva-Veli, Dragoş Pîslaru

**Proposal for a regulation
Article 16 – paragraph 5**

Text proposed by the Commission

Amendment

5. Member States shall ensure that all affected stakeholders are informed of measures restricting free movement of goods, services and persons, including workers and service providers, before their entry into force. Member States shall

5. Member States shall ensure that all affected stakeholders are informed of measures restricting free movement of goods, services and persons, including workers and service providers, before their entry into force, ***as well as the foreseen***

ensure a continuous dialogue with stakeholders, including communication with social partners and international partners.

timeline for its deactivation. Member States shall ensure a continuous dialogue with stakeholders, including communication with social partners and international partners. ***Member States shall also involve social partners to the greatest extent possible in the elaboration of measures that could have an impact on labour mobility.***

Or. en

Amendment 227

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 16 – paragraph 5

Text proposed by the Commission

5. Member States shall ensure that all affected stakeholders are informed of measures restricting free movement of goods, services and persons, including workers and service providers, before their entry into force. Member States shall ensure a continuous dialogue with stakeholders, including communication with social partners and international partners.

Amendment

5. Member States shall ensure that all affected stakeholders are informed of measures restricting free movement of goods, services and persons, including workers and service providers, before their entry into force. Member States shall ensure a continuous dialogue with stakeholders, including communication with social partners and international partners. ***Social partners shall be duly involved in the elaboration and implementation of measures with an impact on labour mobility.***

Or. en

Amendment 228

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 16 – paragraph 5

Text proposed by the Commission

5. Member States shall ensure that all

Amendment

5. Member States shall ensure that all

affected stakeholders are informed of measures restricting free movement of goods, services and persons, including workers and service providers, before their entry into force. Member States shall ***ensure a continuous dialogue with stakeholders***, including communication with social partners and international partners.

affected stakeholders are informed of measures restricting free movement of goods, services and persons, including workers and service providers, before their entry into force. Member States shall ***involve trade unions in the elaboration and implementation of such measures***, including communication with social partners and international partners.

Or. en

Amendment 229

Abir Al-Sahlani, Dragoş Pîslaru

Proposal for a regulation

Article 17 – title

Text proposed by the Commission

17 Prohibited restrictions of free movement rights during a Single Market emergency

Amendment

17 Prohibited restrictions of free movement rights ***including*** during a Single Market emergency

Or. en

Amendment 230

Abir Al-Sahlani

Proposal for a regulation

Article 17 – paragraph 1 – introductory part

Text proposed by the Commission

1. ***During the Single Market emergency mode and when responding to a Single Market emergency***, Member States shall refrain from introducing any of the following:

Amendment

1. Member States shall refrain from introducing ***at any time including during the Single Market emergency mode*** any of the following:

Or. en

Amendment 231

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 17 – paragraph 1 – point -a (new)

Text proposed by the Commission

Amendment

(-a) restrictions on the free movement of Union citizens and their family members and of third-country nationals legally staying or residing in the territories of Member States, as well as of refugees and beneficiaries of international protection, or other measures having equivalent effect, that:

(i) restrict the freedom of movement on grounds of public policy, public security or public health without individual risk assessment or

(ii) are directly discriminatory based on the nationality of the person.

Or. en

Amendment 232

Margarita de la Pisa Carrión

Proposal for a regulation

Article 17 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) discrimination between Member States or between citizens, including in their role as service providers or workers, based directly on nationality or, in the case of companies, the location of the registered office, central administration or principal place of business;

(c) discrimination between Member States or between citizens, including in their role as service providers or workers, based directly on *EU* nationality or, in the case of *EU* companies, the location of the registered office, central administration or principal place of business;

Or. es

Justification

The European Union primarily protects nationals of its Member States and their companies.

Amendment 233
Abir Al-Sahlanı, Dragoş Pîslaru

Proposal for a regulation
Article 17 – paragraph 1 – point c

Text proposed by the Commission

(c) discrimination between Member States or between citizens, including in their role as service providers or workers, based directly on nationality or, in the case of companies, the location of the registered office, central administration or principal place of business;

Amendment

(c) discrimination between Member States or between citizens, including in their role as service providers or workers, based directly **or indirectly** on nationality or, in the case of companies, the location of the registered office, central administration or principal place of business;

Or. en

Amendment 234
Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation
Article 17 – paragraph 1 – point d – introductory part

Text proposed by the Commission

(d) restrictions on the free movement of persons involved in the production of crisis-relevant goods that are listed in an implementing act adopted pursuant to Article 14, paragraph 5 and their parts or in provision of crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14 paragraph 5, or other measures having equivalent effect, that:

Amendment

(d) restrictions on the free movement of persons involved in the production of crisis-relevant goods that are listed in an implementing act adopted pursuant to Article 14, paragraph 5 and their parts or in provision of crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14 paragraph 5 **or which are essential to the functioning of the relevant sectors**, or other measures having equivalent effect, that:

Or. en

Amendment 235
Kim Van Sparrentak
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 17 – paragraph 1 – point d – introductory part

Text proposed by the Commission

(d) restrictions on the free movement of persons involved in the production of crisis-relevant goods that are listed in an implementing act adopted pursuant to Article 14, paragraph 5 and their parts or in provision of crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14 paragraph 5, or other measures having equivalent effect, that:

Amendment

(d) restrictions on the free movement of persons involved in the production of crisis-relevant goods that are listed in an implementing act adopted pursuant to Article 14, paragraph 5 and their parts or in provision of crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14 paragraph 5 ***or which are essential to the functioning of the relevant sectors***, or other measures having equivalent effect, that:

Or. en

Amendment 236

Abir Al-Sahlani, Dragoş Pîslaru

Proposal for a regulation

Article 17 – paragraph 1 – point d – point ii

Text proposed by the Commission

(ii) are directly discriminatory based on nationality of the person.

Amendment

(ii) are directly ***or indirectly*** discriminatory based on nationality of the person.

Or. en

Amendment 237

Abir Al-Sahlani

Proposal for a regulation

Article 17 – paragraph 2 – introductory part

Text proposed by the Commission

2. During the Single Market emergency mode ***and when responding to the Single Market emergency, Member States shall refrain from*** any of the following, ***unless to do so is inherent to the nature of the crisis:***

Amendment

2. ***Member States shall refrain from introducing at any time including*** during the Single Market emergency mode any of the following:

Amendment 238

Abir Al-Sahlani

Proposal for a regulation

Article 17 – paragraph 3 – introductory part

Text proposed by the Commission

3. During the Single Market emergency mode *and when responding to a Single Market emergency, Member States shall refrain from* any of the following *unless to do so is inherent to the nature of the crisis/Single Market emergency*:

Amendment

3. *Member States shall refrain from introducing at any time including* during the Single Market emergency mode any of the following:

Or. en

Amendment 239

Abir Al-Sahlani

Proposal for a regulation

Article 17 – paragraph 4 – introductory part

Text proposed by the Commission

4. During the Single Market emergency mode *and when responding to the Single Market emergency, Member States shall refrain from* any of the following:

Amendment

4. *Member States shall refrain from introducing at any time including* during the Single Market emergency mode any of the following:

Or. en

Amendment 240

Abir Al-Sahlani

Proposal for a regulation

Article 17 – paragraph 4 – point a

Text proposed by the Commission

(a) applying of more generous rules to

Amendment

(a) applying of more generous rules to

travel to or from one Member State to or from another Member State or group of Member States, as compared to travel to and from other Member States ***unless to do so is inherent to the nature of the crisis/Single Market emergency;***

travel to or from one Member State to or from another Member State or group of Member States, as compared to travel to and from other Member States;

Or. en

Amendment 241
Miriam Lexmann

Proposal for a regulation
Article 17 – paragraph 4 – point b

Text proposed by the Commission

(b) denying, to beneficiaries of the right of free movement under Union law, of the right to enter the territory of their Member State of nationality or residence, the right to exit the territory of Member States to travel to the Member State of nationality or residence, or the right to transit through a Member State in order to reach the Member State of nationality or residence;

Amendment

(b) denying, to beneficiaries of the right of free movement under Union law, of the right to enter the territory of their Member State of nationality or residence, the right to exit the territory of Member States to travel to the Member State of nationality or residence, or the right to transit through a Member State in order to reach the Member State of nationality or residence; ***to this end, Member States shall remove obstacles including legal obstacles preventing workers to stay in the Member State of their nationality or residence irrespective of the Member State of the employer provided that they are able to carry out their tasks remotely during the emergency mode;***

Or. en

Amendment 242
Margarita de la Pisa Carrión

Proposal for a regulation
Article 17 – paragraph 4 – point b

Text proposed by the Commission

(b) denying, to beneficiaries of the

Amendment

(b) denying, to beneficiaries of the

right of free movement under Union law, of the right to enter the territory of their Member State of nationality or residence, the right to exit the territory of Member States to travel to the Member State of nationality or residence, or the right to transit through a Member State in order to reach the Member State of nationality or residence;

right of free movement under ***national and*** Union law, of the right to enter the territory of their Member State of nationality or residence, the right to exit the territory of Member States to travel to the Member State of nationality or residence, or the right to transit through a Member State in order to reach the Member State of nationality or residence;

Or. es

Amendment 243

Abir Al-Sahlani, Dragoş Pîslaru

Proposal for a regulation

Article 17 – paragraph 4 – point d

Text proposed by the Commission

(d) imposing prohibitions on travel, including travel for imperative family reasons, which are not ***appropriate*** for the achievement of any legitimate public interest purportedly pursued by such measures or which manifestly go beyond what is necessary to achieve that aim;

Amendment

(d) imposing prohibitions on travel, including travel for imperative family reasons, which are not ***proportionate*** for the achievement of any legitimate public interest purportedly pursued by such measures or which manifestly go beyond what is necessary to achieve that aim;

Or. en

Amendment 244

Margarita de la Pisa Carrión

Proposal for a regulation

Article 17 – paragraph 4 – point d

Text proposed by the Commission

(d) imposing prohibitions on travel, including travel for imperative family reasons, which are not ***appropriate*** for the achievement of any legitimate public interest ***purportedly*** pursued by such measures or which ***manifestly*** go beyond what is necessary to achieve that aim;

Amendment

(d) imposing prohibitions on travel, including travel for imperative family reasons, which are not ***essential*** for the achievement of any legitimate public interest pursued by such measures or which go beyond what is ***strictly*** necessary to achieve that aim;

Justification

These amendments are to reduce the risk of despotism.

Amendment 245

Abir Al-Sahlani, Atidzhe Alieva-Veli, Dragoş Pîslaru

Proposal for a regulation**Article 17 – paragraph 4 – point e***Text proposed by the Commission*

(e) imposing restrictions on workers and service providers and their representatives, ***unless to do so is inherent to the nature of the crisis/Single Market emergency and it does not*** manifestly go beyond what is necessary ***for that purpose***.

Amendment

(e) imposing restrictions on workers and service providers and their representatives ***which are not proportionate for the achievement of any legitimate public interest purportedly pursued by such measures, or which*** manifestly go beyond what is necessary ***to achieve the aim. Due regard shall be given to the situation of different types of workers, for example mobile workers.***

Or. en

Amendment 246

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation**Article 17 – paragraph 4 – point e***Text proposed by the Commission*

(e) imposing restrictions on workers and service providers and their representatives, unless to do so is inherent to the nature of the crisis/Single Market emergency and it does not manifestly go beyond what is necessary for that purpose.

Amendment

(e) imposing restrictions on workers and service providers and their representatives, unless to do so is inherent to the nature of the crisis/Single Market emergency and it does not manifestly go beyond what is necessary for that purpose ***with due regard to mobile and cross border workers, in particular those in employment and professions which require on-location work.***

Amendment 247
Miriam Lexmann

Proposal for a regulation
Article 17 – paragraph 4 – point e

Text proposed by the Commission

(e) imposing restrictions on workers and service providers and their representatives, unless to do so is inherent to the nature of the crisis/Single Market emergency and it does not manifestly go beyond what is necessary for that purpose.

Amendment

(e) imposing restrictions on workers and service providers and their representatives ***with the special attention to cross-border, frontier and seasonal workers***, unless to do so is inherent to the nature of the crisis/Single Market emergency and it does not manifestly go beyond what is necessary for that purpose.

Or. en

Amendment 248
Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation
Article 17 – paragraph 4 – point e

Text proposed by the Commission

(e) imposing restrictions on workers and service providers and their representatives, unless to do so is inherent to the nature of the crisis/Single Market emergency and it does not manifestly go beyond what is necessary for that purpose.

Amendment

(e) imposing restrictions on workers and service providers and their representatives, unless to do so is inherent to the nature of the crisis/Single Market emergency and it does not manifestly go beyond what is necessary for that purpose, ***always respecting the workers' right to health.***

Or. en

Amendment 249
Margarita de la Pisa Carrión

Proposal for a regulation

Article 17 – paragraph 4 – point e

Text proposed by the Commission

(e) imposing restrictions on workers and service providers and their representatives, unless to do so is inherent to the nature of the crisis/Single Market emergency and it does not **manifestly** go beyond what is necessary for that purpose.

Amendment

(e) imposing restrictions on workers and service providers and their representatives, unless to do so is inherent to the nature of the crisis/Single Market emergency and it does not go beyond what is **strictly** necessary for that purpose.

Or. es

Justification

These amendments are to reduce the risk of despotism.

Amendment 250

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 17 – paragraph 5

Text proposed by the Commission

5. When a Single Market emergency has been activated in accordance with Article 14 and the activities exercised by the service providers, business representatives and workers are not affected by the crisis in **the** Member State and safe travel is possible despite the crisis, **that** Member **State** shall not impose travel restrictions on such categories of persons from other Member States that would prevent them from having access to their place of activity or workplace.

Amendment

5. When a Single Market emergency has been activated in accordance with Article 14 and the activities exercised by the service providers, business representatives and workers are not affected by the crisis in **a** Member State and safe travel is possible despite the crisis, Member **States** shall not impose travel restrictions on such categories of persons from other Member States that would prevent them from having access to their place of activity or workplace, **unless such measures are explicitly justified by the protection of public health or workers' rights.**

Or. en

Amendment 251

Marc Angel, Agnes Jongerius, Vilija Blinkevičiūtė, Elisabetta Gualmini, Aurore Lalucq, Brando Benifei, Milan Brglez, Daniela Rondinelli, João Albuquerque

Proposal for a regulation

Article 17 – paragraph 6 – introductory part

Text proposed by the Commission

6. When a Single Market emergency has been activated in accordance with Article 14 and exceptional circumstances resulting from the crisis do not allow all service providers, business representatives and workers from other Member States to travel and to have unhindered access to their place of activity or workplace, but travelling is still possible, Member States shall not impose travel restrictions, on:

Amendment

6. When a Single Market emergency has been activated in accordance with Article 14 and exceptional circumstances resulting from the crisis do not allow all service providers, business representatives and workers from other Member States to travel and to have unhindered access to their place of activity or workplace, but travelling is still possible, Member States shall not impose travel restrictions, on ***the following categories of persons, provided that their health and safety can be ensured on the basis of equal treatment with persons in a comparable situation in the relevant sector of the receiving Member State:***

Or. en

Amendment 252

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 17 – paragraph 6 – introductory part

Text proposed by the Commission

6. When a Single Market emergency has been activated in accordance with Article 14 and exceptional circumstances resulting from the crisis do not allow all service providers, business representatives and workers from other Member States to travel and to have unhindered access to their place of activity or workplace, but travelling is still possible, Member States shall not impose travel restrictions, on:

Amendment

6. When a Single Market emergency has been activated in accordance with Article 14 and exceptional circumstances resulting from the crisis do not allow all service providers, business representatives and workers from other Member States to travel and to have unhindered access to their place of activity or workplace, but travelling is still possible, Member States shall not impose travel restrictions, on ***the following categories of persons, unless public health and workers' right to health require such restrictions:***

Or. en

Amendment 253

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 17 – paragraph 6 – introductory part

Text proposed by the Commission

6. When a Single Market emergency has been activated in accordance with Article 14 and exceptional circumstances resulting from the crisis do not allow all service providers, business representatives and workers from other Member States to travel and to have unhindered access to their place of activity or workplace, but travelling is still possible, Member States shall not impose travel restrictions, on:

Amendment

6. When a Single Market emergency has been activated in accordance with Article 14 and exceptional circumstances resulting from the crisis do not allow all service providers, business representatives and workers from other Member States to travel and to have unhindered access to their place of activity or workplace, but travelling is still possible, Member States shall not impose travel restrictions, on ***the following categories of persons, provided that their safe travel can be ensured:***

Or. en

Amendment 254

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 17 – paragraph 6 – point a

Text proposed by the Commission

(a) Those service providers that provide crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14(5), or business representatives or workers that are involved in production of crisis-relevant goods or provision of crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14(5) to allow them to have access to the place of their activities, if activities in the sector concerned are still allowed in the Member State;

Amendment

(a) Those service providers that provide crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14(5), or business representatives or workers that are involved in production of crisis-relevant goods or provision of crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14(5) ***including those that are essential to the functioning of the affected sector*** to allow them to have access to the place of their activities, if activities in the sector

concerned are still allowed in the Member State;

Or. en

Amendment 255

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 17 – paragraph 7

Text proposed by the Commission

7. When taking the measures referred to in this provision, the Member States shall ensure full compliance with the Treaties and Union law. Nothing in this provision shall be construed as authorising or justifying restrictions to free movement contrary to the Treaties or other provisions of Union law.

Amendment

7. When taking the measures referred to in this provision, the Member States shall ensure full compliance with the Treaties and Union law, ***including the protection of workers, service providers and business representatives, ensuring they are able to exercise their freedom of movement under safe conditions.*** Nothing in this provision shall be construed as authorising or justifying restrictions to free movement contrary to the Treaties or other provisions of Union law.

Or. en

Amendment 256

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 17 – paragraph 7

Text proposed by the Commission

7. When taking the measures referred to in this provision, the Member States shall ensure full compliance with the Treaties and Union law. Nothing in this provision shall be construed as authorising or justifying restrictions to free movement contrary to the Treaties or other provisions of Union law.

Amendment

7. When taking the measures referred to in this provision, the Member States shall ensure full compliance with the Treaties and Union law, ***especially with workers' rights and working conditions.*** Nothing in this provision shall be construed as authorising or justifying restrictions to free movement contrary to the Treaties or other provisions of Union

law.

Or. en

Amendment 257

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 18 – paragraph 1

Text proposed by the Commission

1. During the Single Market emergency mode, the Commission may provide for supportive measures to **reinforce** free movement of persons referred to in Article 17(6) and 17(7) by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 422(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).

Amendment

1. During the Single Market emergency mode, the Commission may provide for supportive measures to **preserve** free movement of persons referred to in Article 17(6) and 17(7) by means of implementing acts ***in so far as these measures do not undermine the exercise of fundamental rights, notably workers' rights***. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 422(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).

Or. en

Amendment 258

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 18 – paragraph 1

Text proposed by the Commission

1. During the Single Market emergency mode, the Commission may provide for supportive measures to **reinforce** free movement of persons

Amendment

1. During the Single Market emergency mode, the Commission may provide for supportive measures to **facilitate** free movement of persons

referred to in Article 17(6) and 17(7) by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 422(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).

referred to in Article 17(6) and 17(7) ***and to ensure that they can exercise their freedom of movement under safe conditions*** by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 422(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).

Or. en

Amendment 259

Miriam Lexmann

Proposal for a regulation

Article 18 – paragraph 2

Text proposed by the Commission

2. During the Single Market emergency mode, where the Commission establishes that Member States have put in place templates for attesting that the individual or economic operator is a service provider that provides crisis-relevant services, a business representative or worker that is involved in production of crisis-relevant goods or provision of crisis-relevant services or a civil protection worker and it considers that the use of different templates by each Member States is an obstacle to the free movement at the time of a Single Market emergency, the Commission may issue, if it considers it necessary for supporting the free movement of such categories of persons and their equipment during the ongoing Single Market emergency, templates for attesting that they fulfil the relevant criteria for the application Article 17(6) in all Member States by means of implementing acts.

Amendment

2. During the Single Market emergency mode, where the Commission establishes that Member States have put in place templates for attesting that the individual or economic operator is a service provider that provides crisis-relevant services, a business representative or worker that is involved in production of crisis-relevant goods or provision of crisis-relevant services or a civil protection worker and it considers that the use of different templates by each Member States is an obstacle to the free movement at the time of a Single Market emergency, the Commission may issue, if it considers it necessary for supporting the free movement of such categories of persons and their equipment during the ongoing Single Market emergency, templates for attesting that they fulfil the relevant criteria for the application Article 17(6) in all Member States by means of implementing acts. ***Commission may make use of digital tools in order to facilitate the use of these***

Amendment 260
Margarita de la Pisa Carrión

Proposal for a regulation
Article 18 – paragraph 3

Text proposed by the Commission

3. The implementing acts referred to in paragraphs 1 and 2 shall be adopted in accordance with the examination procedure referred to in Article 42(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).

Amendment

3. The implementing acts referred to in paragraphs 1 and 2 shall be adopted in accordance with the examination procedure referred to in Article 42(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market, the Commission shall adopt immediately **those** applicable implementing acts in accordance with the procedure referred to in Article 42(3).

Justification

This amendment is necessary to make it clear that the implementing acts are only those mentioned in paragraphs 1 and 2, with the aim of reducing the risk of despotism.

Amendment 261
Miriam Lexmann

Proposal for a regulation
Article 19 – paragraph 1 – subparagraph 1

Text proposed by the Commission

During the Single Market emergency, Member States shall notify to the Commission any **crisis-relevant** draft measures restricting free movement of goods and the freedom to provide services as well as **crisis-relevant** restrictions of free movement of persons, including workers together with the reasons for those

Amendment

During the Single Market emergency, Member States shall notify to the Commission any draft measures **linked to the crisis and** restricting **the** free movement of goods and the freedom to provide services as well as restrictions of free movement of persons, including workers together with the reasons for those

measures.

measures *and special arrangements facilitating the free movement of workers of crisis-relevant sectors and cross-border workers.*

Or. en

Amendment 262

Abir Al-Sahlani, Dragoş Pişlaru

Proposal for a regulation

Article 19 – paragraph 1 – subparagraph 1

Text proposed by the Commission

During the Single Market emergency, Member States shall notify to the Commission any crisis-relevant draft measures restricting free movement of goods and the freedom to provide services as well as crisis-relevant restrictions of free movement of persons, including workers together with the reasons for those measures.

Amendment

During the Single Market emergency, Member States shall notify to the Commission any crisis-relevant draft measures restricting free movement of goods and the freedom to provide services as well as *any proposed* crisis-relevant restrictions of free movement of persons, including workers together with the reasons for those measures.

Or. en

Amendment 263

Abir Al-Sahlani

Proposal for a regulation

Article 19 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Such notification shall not prevent Member States from adopting the measures in question in case immediate action is needed due to reasons occasioned by serious and unforeseeable circumstances. Member States shall notify the adopted measure immediately together with a justification for the need to immediately adopt the measure.

Amendment

deleted

Or. en

Amendment 264

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 19 – paragraph 2

Text proposed by the Commission

2. Member States shall provide to the Commission a statement of the reasons which make the enactment of such measure justified and proportionate, ***where those reasons have not already been made clear in the notified measure***. Member States shall communicate to the Commission the full text of the national legislative or regulatory provisions which contain or are modified by the measure.

Amendment

2. Member States shall provide to the Commission a statement of the reasons which make the enactment of such measure justified and proportionate, ***accompanied by an assessment of the necessity and proportionality of such measures. Member States shall assess in particular whether the proposed measures are likely to adequately remedy or address the Single Market emergency and whether other less restrictive measures could attain the same objective, having regard to the impact of the adopted measures on freedom of movement and other fundamental rights, their scope and duration***. Member States shall communicate to the Commission the full text of the national legislative or regulatory provisions which contain or are modified by the measure.

Or. en

Amendment 265

Abir Al-Sahlani

Proposal for a regulation

Article 19 – paragraph 2

Text proposed by the Commission

2. Member States shall provide to the Commission a statement ***of the reasons which make*** the enactment of such ***measure*** justified and proportionate, ***where those reasons have not already been made clear in the notified measure***. Member

Amendment

2. Member States shall provide to the Commission a statement ***substantiating that*** the enactment of such ***measures or restrictions are*** justified, ***non-discriminatory*** and proportionate. Member States shall communicate to the

States shall communicate to the Commission the full text of the national legislative or regulatory provisions which contain or are modified by the measure.

Commission the full text of the national legislative or regulatory provisions which contain or are modified by the measure.

Or. en

Amendment 266

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 19 – paragraph 6

Text proposed by the Commission

6. The Commission shall ensure that citizens and businesses are informed of the notified measures, ***unless Member States request that the measures remain confidential, or the Commission deems disclosure of those measures would affect the security and public order of the European Union or its Member States***, as well as of the decisions and Member States' comments adopted in accordance with this Article.

Amendment

6. The Commission shall ensure that ***workers***, citizens and businesses are informed of the notified measures, as well as of the decisions and Member States' comments adopted in accordance with this Article.

Or. en

Amendment 267

Abir Al-Sahlani, Dragoş Pîslaru, Atidzhe Alieva-Veli

Proposal for a regulation

Article 19 – paragraph 6

Text proposed by the Commission

6. The Commission shall ensure that citizens ***and*** businesses are informed of the notified measures, ***unless Member States request that the measures remain confidential, or the Commission deems disclosure of those measures would affect the security and public order of the European Union or its Member States, as well as of the decisions and Member***

Amendment

6. The Commission shall ensure that citizens, businesses, ***workers, the social partners and other affected stakeholders*** are informed of the notified measures, ***in a clear and unambiguous matter before their entry into force.***

States' comments adopted in accordance with this Article.

Or. en

Amendment 268
Miriam Lexmann

Proposal for a regulation
Article 19 – paragraph 6

Text proposed by the Commission

6. The Commission shall ensure that citizens **and businesses** are informed of the notified measures, unless Member States request that the measures remain confidential, or the Commission deems disclosure of those measures would affect the security and public order of the European Union or its Member States, as well as of the decisions and Member States' comments adopted in accordance with this Article.

Amendment

6. The Commission shall ensure that citizens, **business operators, workers and their representatives** are informed of the notified measures, unless Member States request that the measures remain confidential, or the Commission deems disclosure of those measures would affect the security and public order of the European Union or its Member States, as well as of the decisions and Member States' comments adopted in accordance with this Article.

Or. en

Amendment 269
Kim Van Sparrentak
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 19 – paragraph 6

Text proposed by the Commission

6. The Commission shall ensure that citizens and businesses are informed of the notified measures, unless Member States **request that the measures remain confidential**, or the Commission deems disclosure of those measures would affect the security and public order of the European Union or its Member States, as well as of the decisions and Member

Amendment

6. The Commission shall ensure that citizens, **workers** and businesses are informed of the notified measures, unless Member States or the Commission deems disclosure of those measures would affect the security and public order of the European Union or its Member States, as well as of the decisions and Member States' comments adopted in accordance

States' comments adopted in accordance with this Article.

with this Article.

Or. en

Amendment 270

Margarita de la Pisa Carrión

Proposal for a regulation

Article 19 – paragraph 8

Text proposed by the Commission

8. Within 10 days from the date of receipt of the notification, the Commission shall examine the compatibility of any draft or adopted measure with Union law, including Articles 16 and 17 of this Regulation as well as the principles of proportionality and non-discrimination, and may provide comments on the notified measure when there are immediately obvious and serious grounds to believe that it does not comply with Union law. Such comments shall be taken into account by the notifying Member State. In exceptional circumstances, in particular to receive scientific advice, evidence or technical expertise in the context of an evolving situation, the period of 10 days may be extended by the Commission. The Commission shall set out the reasons justifying any such extension, shall set a new deadline and shall inform the Member States about the new deadline and the reasons for the extension without delay.

Amendment

8. Within 10 days from the date of receipt of the notification, the Commission shall examine the compatibility of any draft or adopted measure with Union law, including Articles 16 and 17 of this Regulation as well as the principles of proportionality and non-discrimination, and may provide comments on the notified measure when there are immediately obvious and serious grounds to believe that it does not comply with Union law. Such comments shall be taken into account by the notifying Member State. In exceptional circumstances, in particular to receive scientific advice, evidence or technical expertise in the context of an evolving situation, the period of 10 days may be extended by the Commission. The Commission shall set out the reasons justifying any such extension, ***which cannot exceed five extra days***, shall set a new deadline and shall inform the Member States about the new deadline and the reasons for the extension without delay.

Or. es

Amendment 271

Margarita de la Pisa Carrión

Proposal for a regulation

Article 19 – paragraph 10

Text proposed by the Commission

10. The notifying Member State shall communicate the measures it intends to adopt in ***order to comply with*** the comments delivered in accordance with paragraph 8 to the Commission within 10 days after receiving them.

Amendment

10. The notifying Member State shall communicate the measures it intends to adopt in ***view of*** the comments delivered in accordance with paragraph 8 to the Commission within 10 days after receiving them.

Or. es

Justification

This amendment is necessary to ensure that the Commission's role is consultative, not binding.

Amendment 272

Abir Al-Sahlani, Atidzhe Alieva-Veli

Proposal for a regulation

Article 19 – paragraph 11

Text proposed by the Commission

11. If the Commission finds that the measures communicated by the notifying Member State are still not in accordance with Union law, it may issue within **30** days of that communication, a decision requiring that Member State to refrain from adopting the notified draft measure. The notifying Member State shall communicate the adopted text of a notified draft measure to the Commission without delay.

Amendment

11. If the Commission finds that the measures communicated by the notifying Member State are still not in accordance with Union law, it may issue within **10** days of that communication, a decision requiring that Member State to refrain from adopting the notified draft measure. The notifying Member State shall communicate the adopted text of a notified draft measure to the Commission without delay.

Or. en

Amendment 273

Abir Al-Sahlani, Atidzhe Alieva-Veli

Proposal for a regulation

Article 19 – paragraph 12

Text proposed by the Commission

12. If the Commission finds that an already adopted measure that has been

Amendment

12. If the Commission finds that an already adopted measure that has been

notified to it, is not in accordance with Union law, it may issue within **30** days of that notification a decision requiring the Member State to abolish it. The notifying Member State shall communicate the text of a revised measure in case it modifies the notified adopted measure without delay.

notified to it, is not in accordance with Union law, it may issue within **10** days of that notification a decision requiring the Member State to abolish it. The notifying Member State shall communicate the text of a revised measure in case it modifies the notified adopted measure without delay.

Or. en

Amendment 274
Margarita de la Pisa Carrión

Proposal for a regulation
Article 19 – paragraph 13

Text proposed by the Commission

13. The period of 30 days referred to in paragraphs 11 and 12 may be exceptionally extended by the Commission in order to take account of a change of circumstances, in particular to receive scientific advice, evidence or technical expertise in the context of an evolving situation. The Commission shall set out the reasons justifying any such extension **and** shall set a new deadline and shall inform the Member States about the new deadline and the reasons for the extension without delay.

Amendment

13. The period of 30 days referred to in paragraphs 11 and 12 may be exceptionally extended by the Commission in order to take account of a change of circumstances, in particular to receive scientific advice, evidence or technical expertise in the context of an evolving situation. The Commission shall set out the reasons justifying any such extension, **which cannot exceed 10 extra days**, shall set a new deadline and shall inform the Member States about the new deadline and the reasons for the extension without delay.

Or. es

Amendment 275
Abir Al-Sahlani, Atidzhe Alieva-Veli

Proposal for a regulation
Article 19 – paragraph 13

Text proposed by the Commission

13. The period of **30** days referred to in paragraphs 11 and 12 may be exceptionally extended by the Commission in order to take account of a change of circumstances,

Amendment

13. The period of **10** days referred to in paragraphs 11 and 12 may be exceptionally extended by the Commission in order to take account of a change of circumstances,

in particular to receive scientific advice, evidence or technical expertise in the context of an evolving situation. The Commission shall set out the reasons justifying any such extension and shall set a new deadline and shall inform the Member States about the new deadline and the reasons for the extension without delay.

in particular to receive scientific advice, evidence or technical expertise in the context of an evolving situation. The Commission shall set out the reasons justifying any such extension and shall set a new deadline and shall inform the Member States about the new deadline and the reasons for the extension without delay.

Or. en

Amendment 276

Abir Al-Sahlanı, Atidzhe Alieva-Veli, Dragoş Pîslaru

Proposal for a regulation

Article 21 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall operate national single points of contact that shall provide citizens, consumers, economic operators and workers and their representatives with the following assistance:

Amendment

1. Member States shall operate national single points of contact that shall provide citizens, ***civil society organizations***, consumers, economic operators and workers and their representatives with the following assistance:

Or. en

Amendment 277

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 21 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(b a) assistance in dissemination of information to businesses, consumers and workers by closely cooperating with stakeholders at national and local level such as social partners and consumer organisations.

Or. en

Amendment 278

Abir Al-Sahlan, Atidzhe Alieva-Veli, Dragoş Pîslaru

Proposal for a regulation

Article 21 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that it is possible for citizens, consumers, economic operators and workers and their representatives to receive, at their request and via the respective single points of contact, information from the competent authorities on the way in which the respective national crisis response measures are generally interpreted and applied. Where appropriate, such information shall include a step-by-step guide. The information shall be provided in clear, understandable and intelligible language. It shall be easily accessible at a distance and by electronic means and shall be kept up to date.

Amendment

2. Member States shall ensure that it is possible for citizens, consumers, ***civil society organisations***, economic operators and workers and their representatives to receive, at their request and via the respective single points of contact, information from the competent authorities on the way in which the respective national crisis response measures are generally interpreted and applied. Where appropriate, such information shall include a step-by-step guide. The information shall be provided in clear, understandable and intelligible language ***and shall be accessible to persons with disabilities***. It shall ***also*** be easily accessible at a distance and by electronic means and shall be kept up to date.

Or. en

Amendment 279

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 21 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Members States shall inform and collaborate with trade unions while putting in place such information system.

Or. en

Amendment 280

Abir Al-Sahlanı, Atidzhe Alieva-Veli, Dragoş Pîslaru

Proposal for a regulation

Article 22 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Union level single point of contact shall provide citizens, consumers, economic operators, workers and their representatives with the following assistance:

Amendment

2. The Union level single point of contact shall provide citizens, ***civil society organizations***, consumers, economic operators, workers and their representatives with the following assistance:

Or. en

Amendment 281

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 22 – paragraph 2 – point a

Text proposed by the Commission

(a) assistance in requesting and obtaining information as regards Union level crisis response measures that are relevant to the activated Single Market emergency or which affect the exercise of the free movement of goods, services, persons and workers;

Amendment

(a) assistance in requesting and obtaining information as regards Union level ***and other Member States'*** crisis response measures that are relevant to the activated Single Market emergency or which affect the exercise of the free movement of goods, services, persons and workers;

Or. en

Amendment 282

Miriam Lexmann

Proposal for a regulation

Article 24 – paragraph 3 – introductory part

Text proposed by the Commission

3. The information requests referred to in paragraph 1 may concern the following:

Amendment

3. The information requests referred to in paragraph 1 may concern the following, ***while fully respecting trade and***

Amendment 283

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 27 – paragraph 2

Text proposed by the Commission

2. If an economic operator does not accept and prioritise priority rated orders, the Commission may, at its own initiative or at the request of 14 Member States, assess the necessity and proportionality of resorting to priority rated orders in such cases, the Commission shall give the economic operator concerned as well as any parties demonstrably affected by the potential priority rated order, the opportunity to ***state their position*** within a reasonable time limit set by the Commission in light of the circumstances of the case. In exceptional circumstances, following such an assessment, the Commission may address an implementing act to the economic operator concerned, requiring it to either accept and prioritise the priority rated orders specified in the implementing act or explain why it is not possible or appropriate for that operator to do so. The Commission's decision shall be based on objective data showing that such prioritisation is indispensable to ensure the maintenance of vital societal economic activities in the Single Market

Amendment

2. If an economic operator does not accept and prioritise priority rated orders, the Commission may, at its own initiative or at the request of 14 Member States, assess the necessity and proportionality of resorting to priority rated orders in such cases, the Commission shall give the economic operator concerned as well as ***trade unions and*** any parties demonstrably affected by the potential priority rated order, the opportunity to ***be informed and consulted*** within a reasonable time limit set by the Commission in light of the circumstances of the case. ***Workers' occupational health and safety must in all cases remain the priority for all economic operators and public authorities.*** In exceptional circumstances, following such an assessment, the Commission may address an implementing act to the economic operator concerned, requiring it to either accept and prioritise the priority rated orders specified in the implementing act or explain why it is not possible or appropriate for that operator to do so. The Commission's decision shall be based on objective data showing that such prioritisation is indispensable to ensure the maintenance of vital societal economic activities in the Single Market. ***Workers affected by such decision whose job would change should be consulted, supported and trained as well as entitled to***

compensation, including financial ones.

Or. en

Amendment 284

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 27 – paragraph 3

Text proposed by the Commission

3. Where the economic operator to which the decision referred to in paragraph 2 is addressed accepts the requirement to accept and prioritise the orders specified in the decision, that obligation shall take precedence over any performance obligation under private or public law.

Amendment

3. Where the economic operator to which the decision referred to in paragraph 2 is addressed accepts the requirement to accept and prioritise the orders specified in the decision, that obligation shall take precedence over any performance obligation under private or public law.
Accepting priority orders shall not in any circumstances be used to undermine or circumvent workers' rights or working conditions.

Or. en

Amendment 285

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 28 – paragraph 2

Text proposed by the Commission

2. ***Fines imposed in the cases referred to in paragraph 1 (a) and (b) shall not exceed 200 000 EUR.***

Amendment

deleted

Or. en

Amendment 286

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 28 – paragraph 3

Text proposed by the Commission

3. Fines imposed in the cases referred to in paragraph 1 (c) shall not ***exceed*** 1 % of the average daily turnover in the preceding business year for each working day of non-compliance with the obligation pursuant to Article 27 (priority rated orders) calculated from the date established in the decision ***not exceeding 1% of total turnover in the preceding business year.***

Amendment

3. Fines imposed in the cases referred to in paragraph 1 (c) shall not ***be lower than*** 1 % of the average daily turnover in the preceding business year for each working day of non-compliance with the obligation pursuant to Article 27 (priority rated orders) calculated from the date established in the decision.

Or. en

Amendment 287
Kim Van Sparrentak
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 33 – paragraph 2 – point c

Text proposed by the Commission

(c) aiming at accelerating permitting of crisis-relevant goods.

Amendment

(c) aiming at accelerating permitting of crisis-relevant goods ***fully respecting social and environmental legislation.***

Or. en

Amendment 288
Kim Van Sparrentak
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 34 – paragraph 3

Text proposed by the Commission

3. Where the Commission agrees to procure on behalf of the Member States, it shall draw up a proposal for a framework agreement to be concluded with the

Amendment

3. Where the Commission agrees to procure on behalf of the Member States, it shall draw up a proposal for a framework agreement to be concluded with the

participating Member States allowing the Commission to procure on their behalf. This agreement shall lay down the detailed conditions for the procurement on behalf of the participating Member States referred to in paragraph 1.

participating Member States allowing the Commission to procure on their behalf. This agreement shall lay down the detailed conditions for the procurement on behalf of the participating Member States referred to in paragraph 1 *and shall be made public*.

Or. en

Amendment 289

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 35 – paragraph 1

Text proposed by the Commission

1. The agreement [referred to in Article 34(3)] shall establish a negotiating mandate for the Commission to act as a central purchasing body for relevant goods and services of strategic importance or crisis-relevant goods and services on behalf of the participating Member States through the conclusion of new contracts.

Amendment

1. The agreement [referred to in Article 34(3)] shall establish a negotiating mandate for the Commission to act as a central purchasing body for relevant goods and services of strategic importance or crisis-relevant goods and services on behalf of the participating Member States through the conclusion of new contracts *which shall be made public*.

Or. en

Amendment 290

Margarita de la Pisa Carrión

Proposal for a regulation

Article 39 – paragraph 1

Text proposed by the Commission

Where the Single Market emergency mode has been activated pursuant to Article 16 and procurement by the Commission on behalf of Member States has been launched in accordance with Articles 34 to 36, the contracting authorities of the participating Member States shall not procure goods or services covered by such procurement by

Amendment

Where the Single Market emergency mode has been activated pursuant to Article 16 and procurement by the Commission on behalf of Member States has been launched in accordance with Articles 34 to 36, the contracting authorities of the participating Member States shall not procure goods or services covered by such procurement by

other means.

other means *unless they have justified the imperative need to do so to the Commission.*

Or. es

Amendment 291

Marc Botenga, Nikolaj Villumsen, Leila Chaibi

Proposal for a regulation

Article 39 a (new)

Text proposed by the Commission

Amendment

Article 39 a

Non regression clause

1. This Regulation is without prejudice to existing national participation rights of social partners, that provide more favourable provisions.

2. This Regulation does not affect labour law, that is any legal or contractual provision concerning employment conditions, working conditions, including health and safety at work and the relationship between employers, workers and their representatives, which Member States apply in accordance with national law which respects Union law. Equally, this Regulation does not affect the social security legislation of the Member States.

Or. en

Amendment 292

Marc Angel, Agnes Jongerius, Vilija Blinkevičiūtė, Elisabetta Gualmini, Aurore Lalucq, Brando Benifei, Milan Brglez, Daniela Rondinelli, João Albuquerque

Proposal for a regulation

Article 39 a (new)

Text proposed by the Commission

Amendment

Article 39 a

Non regression clause

1. This Regulation is without prejudice to existing national participation rights of social partners, that provide more favourable provisions.

2. This Regulation does not affect labour law, that is any legal or contractual provision concerning employment conditions, working conditions, including health and safety at work and the relationship between employers, workers and their representatives, which Member States apply in accordance with national law and Union law. Equally, this Regulation does not affect the social security legislation of the Member States.

Or. en

Amendment 293

Kim Van Sparrentak

on behalf of the Verts/ALE Group

Proposal for a regulation

Article -40 (new)

Text proposed by the Commission

Amendment

Article -40

Non regression clause

1. This Regulation is without prejudice to existing national participation rights of social partners, that provide more favourable provisions.

2. This Regulation does not affect labour law, that is any legal or contractual provision concerning employment conditions, working conditions, including health and safety at work and the relationship between employers, workers and their representatives, which Member States apply in accordance with national law which respects Union law. Equally, this Regulation does not affect the social security legislation of the Member States.

