



**2017/2003(INI)**

24.3.2017

# **OPINION**

of the Committee on Industry, Research and Energy

for the Committee on the Internal Market and Consumer Protection

on a European agenda for the collaborative economy  
(2017/2003(INI))

Rapporteur for the opinion (\*): Dario Tamburrano

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## SUGGESTIONS

The Committee on Industry, Research and Energy calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Welcomes the Commission communication entitled ‘A European Agenda for the collaborative economy’, which recognises that collaborative economies offer innovative ways to provide new services for citizens, foster entrepreneurship and create jobs; recognises the fact that all collaborative economies are rooted in human cooperative behaviour, are founded on peer-to-peer relationships, community and trust and have benefited from socio-economic developments, including the shift from the need-to-own to the need-to-use and share assets model; acknowledges that currently collaborative economies tend to cover a wider spectrum, ranging from gift-based to for-profit economic models and, no matter how diverse they are, or will become, are identified by resource sharing, active participation and empowerment of citizens, community-accepted innovation, and the intensive use of information and communication technologies (ICTs) as a key enabler;
2. Considering the multi-dimensional nature of collaborative economies, points out the need for distinguishing between ‘for-profit’ and ‘not-for-profit’ (including cost-sharing) models, as their respective participants, whether users or service providers, should not be subject to the same legal requirements;
3. Emphasises that collaborative economies can offer many opportunities for investments and prosperity in the European market, including jobs for people who are distant from the labour market, such as the unemployed, young people, students, women and senior citizens; notes in this regard, the possibility of atypical employment relationships, including ‘bogus’ self-employment, which should be identified so as to ensure the fair application of the relevant labour and taxation standards; underlines that collaborative economies foster entrepreneurship; stresses the need to adapt training policies to these new kinds of businesses;
4. Emphasises that ICTs allow innovative ideas within the collaborative economy to evolve quickly and efficiently, while connecting and empowering participants, whether users or service providers, facilitating their access to the market and their engagement within it, making remote and rural areas more accessible, thus reducing the need for intermediation, decreasing direct costs and overheads, channelling rich information flows and reinforcing trust between peers;
5. Recognises the potential of user-generated data, services and creative content for European businesses, while pointing out the possible risks associated with their concentration in a small number of transnational digital platforms, which can act as new intermediaries, potentially distorting the market and hindering the development of local initiatives in the collaborative economy; calls, therefore, on the Commission to reflect on the appropriate means for preventing the abuse of dominant market positions that could affect the EU digital market;
6. Believes that, for a platform to be considered collaborative, it is vital that exchanges of goods and services take place primarily between equal partners; warns in this regard

against the proliferation on the ‘collaborative economy’ ticket of platforms acting as actual service providers rather than just intermediaries;

7. Emphasises that collaborative economies are based on trust, particularly online comments, ratings, and reputational systems or other mechanisms which can discourage harmful behaviour by participants, reduce information asymmetries and contribute to higher quality and transparency of services; warns, however, of the need to prevent these mechanisms from leading to the establishment of unjustified barriers for participants entering or exiting these platforms and that self-regulation alone, including quality labels, may not be enough to achieve safety and service quality standards; in this regard, encourages the Commission to create a level playing field among collaborative platforms by:
  - (a) continuing its work on the free flow of data and interoperability between market platforms and encouraging data portability;
  - (b) proposing ways to authenticate online consumer opinions;
  - (c) ensuring that platforms: i) provide comprehensive information on the regulatory framework that service providers should comply with, and ii) play a more proactive role in checking whether service providers fulfil their legal requirements;
8. Underlines that the sharing of assets optimises their use and releases a wealth of positive environmental and socio-economic externalities, thus making industries and services more resource-efficient, lowers the up-front costs of market entry and creates community-based opportunities benefiting enterprises and empowering individual citizens participating in the collaborative economy; in this regard, emphasises that the sharing of assets, in line with the Union’s objectives on sustainable and inclusive growth, should be promoted;
9. Points to how the introduction of 5G will fundamentally transform the logic of our economies, making services more diverse and accessible; in this regard, stresses the importance of creating a competitive market for innovative businesses, the success of which will ultimately define the strength of our economies;
10. Highlights the potential collaborative economy contribution to EU economic sustainability in achieving overarching objectives in sustainable agriculture, resource efficiency, combating climate change and building a circular economy;
11. Points out that collaborative economies thrive particularly in communities in which knowledge- and education-sharing models are strong, thereby catalysing and consolidating a culture of open innovation, supporting open-sourced hardware and software, and expanding our heritage of common goods and creative commons; stresses that, in view of their potential in encouraging the creative and innovative capital of European citizens, collaborative economies should remain open and accessible to all individuals while ensuring a fair remuneration for cultural and creative workers and researchers;
12. Recognises that collaborative economies have flourished mainly in urban areas where conditions such as population density and physical proximity favoured the adoption of collaborative models; in this regard, stresses the importance of the development of

coherent policies and the deployment of broadband and ultra-broadband in order to enable all Union territories, especially those which are less populated, remote or rural, to benefit from the potential of these economies;

13. Urges the Commission and the Member States to ensure better coordination, together with relevant stakeholders, for achieving high standards regarding: (a) workers' rights and social protection for all workers in collaborative economies; (b) safety guarantees for the users of collaborative economies; (c) development of collaborative economies and cohabitation synergies with traditional business models; (d) enforcement of protection of personal data so as to ensure the privacy of all workers and the secrecy of consumer data;
14. Calls on the Commission, inter alia, to further study the socio-economic impacts of collaborative business employment, consumer protection, social protection and relevant public policies like spatial planning and tourism;
15. Calls on the Commission to make it easier for Member States to ensure adequate social protection for both employees and the self-employed in sharing economies, while insisting that the Commission must respect the social partners' autonomy at the national level, national collective agreements and national labour market traditions and models, and refrain from taking initiatives that may affect the right to negotiate, conclude and enforce collective agreements and to take collective action in accordance with national law and practice;
16. Calls on the Commission to further study the extent to which collaborative economies are covered by the regulatory framework of individual Member States and existing EU provisions with a view to creating, if and where needed, a harmonised approach for collaborative economies on a Union level in full compliance with the principle of subsidiarity; in this context, points to the positive experiences in regulation made on local level guided in general by the principles of information transparency, participation, inclusion and good governance;
17. Calls on the Commission and Member States to ensure that EU legislation and policies are future-proof and provide legal stability and certainty in order to unleash the full potential of collaborative economies for employees, businesses and citizens in the EU, with particular regard to:
  - a) defining sector-specific criteria and thresholds, where necessary, and in those definitions clearly distinguishing between the concepts of 'work/service', 'employee' and 'self-employed', 'non-professional peer-to-peer activity' and 'service provider', 'for profit' and 'not-for-profit' (including cost-sharing) activities;
  - b) ensuring a level playing field for EU businesses and citizens, particularly by ensuring the application of, inter-alia, functionally similar legal standards for similar economic actors on consumer protection, workers' rights, tax compliance and transparency;
  - c) opening non-exclusive, experimentation-oriented spaces and fostering digital connectivity and literacy, supporting European entrepreneurs, start-ups and incentivising Industry 4.0, innovation hubs, clusters and incubators; is of the opinion that this should be achieved by making the best use of relevant legislation and without over-regulating, while respecting Member States' prerogative on the matter, including respecting the autonomy of the social

partners and national practices, as well as the guidance given by the European Court of Justice on the concepts of ‘work/service’, ‘worker’ and ‘service provider’ recalling that the concept of the worker comes under national competences;

18. Underlines that collaborative economies are an ecosystem which needs support for its fast-growing development and scaling-up and which needs to remain open to research, innovations and new technologies in order to attract investments; calls on the Commission and Member States to make full use of existing financing instruments to invest in collaborative businesses and to promote initiatives to ease access to financing, especially for start-ups, small and medium-sized enterprises and businesses in the economy throughout the Union, through different channels such as banking, risk capital, public funds, and crowd-funding;
19. Stresses that national and local rules that are not justified and proportionate not only constitute barriers to the single market contrary to EU legislation but also hinder the creation and scale up of start-ups; calls therefore on the Commission to enforce single market legislation in a proactive manner;
20. Points out that collaborative economies are increasingly important in the energy sector, allowing consumers, producers, individuals and communities to engage efficiently in several decentralised phases of the renewable energy cycle, including self-production and self-consumption, storage and distribution, in line with the climate and energy objectives of the Union;
21. Advocates treating the spectrum as a common good and encourages the inclusion of innovative user driven initiatives in the regulation that would boost the collaborative and sharing economy;
22. Calls on the Commission to support the economic growth of the collaborative economy with measures aimed at reducing the administrative burden on individuals and businesses without discriminating between business models.

## INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

<b>Date adopted</b>	22.3.2017
<b>Result of final vote</b>	+: 53 -: 4 0: 2
<b>Members present for the final vote</b>	Nikolay Barekov, Bendt Bendtsen, Xabier Benito Ziluaga, José Blanco López, Cristian-Silviu Buşoi, Reinhard Bütikofer, Jerzy Buzek, Angelo Ciocca, Edward Czesak, Pilar del Castillo Vera, Fredrick Federley, Ashley Fox, Adam Gierek, András Gyürk, Rebecca Harms, Eva Kaili, Kaja Kallas, Krišjānis Kariņš, Seán Kelly, Peter Kouroumbashev, Zdzisław Krasnodębski, Miapetra Kumpula-Natri, Janusz Lewandowski, Paloma López Bermejo, Edouard Martin, Dan Nica, Angelika Niebler, Morten Helveg Petersen, Michel Reimon, Herbert Reul, Paul Rübig, Massimiliano Salini, Algirdas Saudargas, Neoklis Sylikiotis, Dario Tamburrano, Evžen Tošenovský, Claude Turmes, Vladimir Urutchev, Kathleen Van Brempt, Henna Virkkunen, Martina Werner, Lieve Wierinck, Anna Záborská, Flavio Zanonato, Carlos Zorrinho
<b>Substitutes present for the final vote</b>	Mario Borghesio, Soledad Cabezón Ruiz, Jens Geier, Françoise Grossetête, Benedek Jávor, Constanze Krehl, Olle Ludvigsson, Sofia Sakorafa, Anne Sander, Maria Spyraki, Marco Zullo
<b>Substitutes under Rule 200(2) present for the final vote</b>	Isabella Adinolfi, Arndt Kohn, Pavel Poc

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

53	+
ALDE	Fredrick Federley, Kaja Kallas, Morten Helveg Petersen, Lieve Wierinck
ECR	Nikolay Barekov, Edward Czesak, Ashley Fox, Zdzisław Krasnodębski, Evžen Tošenovský
EFDD	Isabella Adinolfi, Dario Tamburrano, Marco Zullo
EPP	Bendt Bendtsen, Jerzy Buzek, Cristian-Silviu Buşoi, Françoise Grossetête, András Gyürk, Krišjānis Kariņš, Seán Kelly, Janusz Lewandowski, Angelika Niebler, Herbert Reul, Paul Rübzig, Massimiliano Salini, Anne Sander, Algirdas Saudargas, Maria Spyrali, Vladimir Urutchev, Henna Virkkunen, Anna Záborská, Pilar del Castillo Vera
S&D	José Blanco López, Soledad Cabezón Ruiz, Jens Geier, Adam Gierek, Eva Kaili, Arndt Kohn, Peter Kouroumbashev, Constanze Krehl, Miapetra Kumpula-Natri, Olle Ludvigsson, Edouard Martin, Dan Nica, Pavel Poc, Kathleen Van Brempt, Martina Werner, Flavio Zanonato, Carlos Zorrinho
VERTS/ALE	Reinhard Bütikofer, Rebecca Harms, Benedek Jávor, Michel Reimon, Claude Turmes

  

4	-
GUE/NGL	Xabier Benito Ziluaga, Paloma López Bermejo, Sofia Sakorafa, Neoklis Sylikiotis

  

2	0
ENF	Mario Borghezio, Angelo Ciocca

**Key to symbols:**

+ : in favour

- : against

0 : abstention