

ORAL QUESTION WITH DEBATE O-0048/05

pursuant to Rule 108 of the Rules of Procedure

by Jacek Protasiewicz, Ria Oomen-Ruijten, Csaba Óry, Milan Cabrnoch, Mihael Brejc, Struan Stevenson and Othmar Karas, on behalf of the PPE-DE Group
to the Commission

Subject: Discrimination against workers and companies from the new Member States in the EU internal market

Apart from the Accession Treaty provisions on transitional periods for the free movement of labour, there are additional legislative and administrative obstacles in several 'EU 15' Member States which are preventing companies, legally established in the new Member States, and their workers, from exercising their Treaty rights of freedom of establishment and of conducting economic activities in these 'EU 15' Member States.

Obstacles under the national law of these Member States include more complicated and time-consuming notification procedures for providers of services from the new Member States than those from the 'EU 15' Member States, as well as the requirement to apply for work permits for posted workers in the framework of provision of services. Under this legislation, new Member States' companies are, in this respect, treated as companies from outside the EU.

In the law of the other EU states, a work permit for delegated workers from new Member States is required, in breach of Article 49 of the European Community Treaty.

As far as the discriminatory practices of some Member States are concerned, these range from an exaggerated level of checks on a service provider, to the officials responsible for granting various authorisations to such companies and workers being insufficiently familiar with the law of their own country and of the EU.

How, and within what time frame, will the Commission address this situation, by taking steps aimed at eliminating such discriminatory arrangements, which hinder the realisation of the Lisbon Agenda?

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