

**Question for oral answer O-000081/2016
to the Commission**

Rule 128

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Subject: Germany's law on minimum wage

As of 1 January 2015 the German Minimum Wage Act (known as MiLoG) establishing a minimum hourly rate of EUR 8.50 has also been applicable to all employees who carry out their work on German territory only on a temporary basis, and to transit coach drivers, regardless of where their employers are permanently based. It is our understanding that these MiLoG provisions make it impossible for transport undertakings to benefit from the freedoms of the EU internal market.

In May 2015 the Commission stated that the application of the minimum wage provided for in MiLoG was not justified as far as transit shipments and 'certain international transport operations' are concerned, and launched an infringement procedure against Germany.

However, this infringement procedure has now been underway for over a year and companies, in particular SMEs, have still not been given any detailed answers regarding which rules are to be applied. This causes legal uncertainty and lack of clarity with regard to further pursuit of economic activities within the EU.

Taking into account the aforementioned and the Commission's answers to Written Questions E-010081/14, E-010749/14 and P-010809/14 submitted by various MEPs, we have the following questions for the Commission:

1. Has the Commission already received precise clarification and satisfactory justification from the German Government on MiLoG and its compliance with EU law?
2. What is the current status of the infringement procedure on this issue?
3. Does the Commission plan to address this issue in its upcoming Road Package, particularly given that the legal uncertainty created may cause further internal market distortions, with other Member States introducing similar actions?

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Deadline for reply: 2.6.2016