

WRITTEN QUESTION P-6147/07  
by Jacques Toubon (PPE-DE)  
to the Commission

Subject: Regulatory systems for social services of general interest and the rules of the internal market

Social services such as social housing, child care services and support for families and persons in need are excluded from the scope of Directive 2006/123/EC<sup>1</sup>. The evaluation process for authorisation schemes introduced by the Services Directive does not, therefore, apply to them. One of the key features of social services of general interest is the 'information asymmetry' between service providers and service recipients arising from the crucial nature of the needs the service is designed to meet and the vulnerable situation of the service recipient, as well as the geographic coverage and economic viability criteria these essential public services are required to fulfil.

Bearing in mind that social services do not fall within the scope of the Services Directive, what law applies to the authorisation schemes which are a feature of the systems regulating the provision of social services of general interest ?

Are social services of general interest regarded a priori as compatible with internal market rules by virtue of the fact that they have been excluded from the scope of the Services Directive?

If not, in what circumstances are these authorisation systems, the justification for which is the need to ensure social services fulfil general interest criteria, compatible with the rules governing the internal market?

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<sup>1</sup> OJ L 376 of 27.12.2006, p.36