

**Priority question for written answer P-004087/2021
to the Commission**

Rule 138

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Subject: Follow-up question - admissibility of excluding cross-border operators from temporary assistance scheme for the self-employed (Tozo) in the Netherlands

A temporary scheme (Tozo) has been introduced in the Netherlands to help the self-employed weather the fallout from the COVID pandemic. However, the Dutch authorities have been refusing to grant assistance under this scheme to self-employed persons with businesses in the Netherlands but resident in other Member States such as Belgium and Germany. In reply to parliamentary question P-000009/2021 of 10 March 2021, the European Commission indicated that consideration of whether exclusion of cross-border operators from the 'Tozo' scheme was in breach of EU law was still ongoing.

1. A number of months down the line, is the Commission now in a position to comment on the legality of excluding from the scheme self-employed operators with businesses in the Netherlands but resident in Belgium or Germany? When does the Commission expect to reach a decision on this?
2. If it concludes that their exclusion as a breach of EU law, what action will it take to remedy matters?