



2022/0278(COD)

4.7.2023

OPINION

of the Committee on Employment and Social Affairs

for the Committee on the Internal Market and Consumer Protection

on the proposal for a regulation of the European Parliament and of the Council
establishing a Single Market emergency instrument and repealing Council
Regulation No (EC) 2679/98
(COM(2022)0459 – C9-0315/2022 – 2022/0278(COD))

Rapporteur for opinion: Marc Angel

PA_Legam

AMENDMENTS

The Committee on Employment and Social Affairs calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation Title 1

Text proposed by the Commission

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
establishing a Single Market emergency
instrument *and repealing Council
Regulation No (EC) 2679/98*
(Text with EEA relevance)

Amendment

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
establishing a Single Market emergency
instrument *and amending Council
Regulation No (EC) 2679/98*
(Text with EEA relevance)

Amendment 2

Proposal for a regulation Recital -1 (new)

Text proposed by the Commission

Amendment

(-1) In accordance with the Treaties, Member States have an obligation to ensure the proper functioning of the Single Market. They should therefore abstain from adopting measures that are contrary to the free movement of goods, services and persons, and they should take all necessary measures to facilitate the free movement of goods, services or persons.

Amendment 3

Proposal for a regulation Recital 1

Text proposed by the Commission

(1) Past crises, especially the early days of the COVID-19 pandemic, have shown that the internal market (also referred to as the Single Market **and** its supply chains can be severely affected by such crises, **and** appropriate crisis management tools and coordination mechanisms are either lacking, do not cover all aspects of the Single market or do not allow for a timely response to such impacts.

Amendment

(1) Past crises, especially the early days of the COVID-19 pandemic, have shown that the internal market (also referred to as the Single Market), its supply chains, **businesses, workers and consumers** can be severely affected by such crises, **that the free movement of goods, services and people are not sufficiently safeguarded despite being laid down in the Treaties and that** appropriate, **harmonised** crisis management tools and coordination mechanisms are either lacking, do not cover all aspects of the Single Market or do not allow for a timely **and effective** response to such impacts.

Amendment 4

Proposal for a regulation

Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) During the COVID-19 pandemic, the sectors most concerned were characterised by a high dependence on mobile workers, including frontier and cross-border workers. These workers, who played an essential role to keep the European economy going, were particularly affected by uncoordinated measures restricting the free movement of persons. They were often left without adequate support when exercising their freedom of movement, faced heavy administrative burden and suffered from a lack of information about measures taken and their duration. The restrictions to the free movement exacerbated obstacles faced by mobile workers, including frontier and cross-border workers. While some could not cross borders to access their workplace, others were forced to spend months in the Member State of their employer without

the possibility to return to their Member State of residence or that of their families due to travel restrictions and legal obstacles preventing them to work remotely.

Amendment 5

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) The Union was not sufficiently prepared to ensure efficient manufacturing, procurement and distribution of crisis-relevant non-medical goods such as personal protective equipment, especially in the early phase of the COVID-19 pandemic and the ad-hoc measures taken by the Commission in order to re-establish the functioning of the Single Market and to ensure the availability of crisis-relevant non-medical goods during the COVID-19 pandemic were necessarily reactive. The pandemic also revealed insufficient overview of manufacturing capacities across the Union as well as vulnerabilities related to the global supply chains.

Amendment

(2) The Union was not sufficiently prepared to ensure efficient manufacturing, procurement and distribution of crisis-relevant non-medical goods such as personal protective equipment, especially in the early phase of the COVID-19 pandemic and the ad-hoc measures taken by the Commission in order to re-establish the functioning of the Single Market and to ensure the availability of crisis-relevant non-medical goods during the COVID-19 pandemic were necessarily reactive. The pandemic also revealed insufficient overview of manufacturing capacities across the Union as well as vulnerabilities related to the global supply chains ***including lack of resilience and dependency on authoritarian regimes.***

Amendment 6

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) Actions by the Commission were delayed by several weeks due to the lack of any Union wide contingency planning measures and ***of clarity*** as to which part of the national administration to contact to find rapid solutions to ***the impact*** on the Single Market ***being cause by the crisis***. In addition it became clear that uncoordinated

Amendment

(3) Actions by the Commission were delayed by several weeks due to the lack of any Union wide contingency planning measures and ***of clarity*** as to which part of the national administration to contact to find rapid solutions to ***crisis-related impacts*** on the Single Market. In addition it became clear that uncoordinated

restrictive actions taken by the Member States *would* further *aggravate* the impacts of the crisis on the Single market. It emerged that there is a need for arrangements between the Member States and Union authorities as regards contingency planning, technical level coordination and cooperation and information exchange.

restrictive actions taken by the Member States further *aggravated* the impacts of the crisis on the Single market. It emerged that *in order to ensure predictability*, there is a need for *clear and transparent rules and* arrangements between the Member States and Union authorities *as well as social partners and other stakeholders* as regards contingency planning, technical level coordination and cooperation and information exchange. *Social partners play a key role in supporting coordination efforts and the elaboration and implementation of emergency measures, including when it comes to dissemination of relevant information to workers, businesses and economic operators.*

Amendment 7

Proposal for a regulation Recital 4

Text proposed by the Commission

(4) Representative organisations of economic operators have suggested that economic operators did not have sufficient information on the crisis response measures of the Member States during the pandemics, partly due to not knowing where to obtain such information, partly due to language constraints and the administrative burden implied in making repeated inquiries in all the Member States, especially in a constantly changing regulatory environment. This prevented them from making informed *business* decisions as to what extent they may rely on their free movement rights *or* continue cross-border business operations during the crisis. It is necessary to improve the availability of information on national and Union level crisis response measures

Amendment

(4) Representative organisations of economic operators, *trade unions and employers* have suggested that economic operators, *workers and businesses* did not have sufficient information on the crisis response measures of the Member States during the pandemics, partly due to not knowing where to obtain such information, partly due to language constraints and the administrative burden implied in making repeated inquiries in all the Member States, especially in a constantly changing regulatory environment. This prevented them from making informed decisions as to what extent they may rely on their free movement rights *and/or* continue cross-border business operations during the crisis. It is necessary to improve the availability of information on national and Union level crisis response measures.

Amendment 8

Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) These recent events have also highlighted the need for the Union to be better prepared for possible future crises, especially *as we consider* the continuing effects of climate change and resulting natural disasters as well as global economic and geopolitical instabilities. Given the fact that it is not known which kind of crises could come up next and produce severe impacts on the Single Market and its supply chains in the future, it is necessary to provide for an instrument that would apply with regards to *impacts on the Single Market of a wide range of crises*.

Amendment

(5) These recent events have also highlighted the need for the Union to be better prepared for possible future crises, especially *considering* the continuing *aggravating* effects of climate change and resulting natural disasters as well as global economic and geopolitical instabilities. Given the fact that it is not known which kind of crises could come up next and produce severe impacts on the Single Market and its supply chains in the future, it is necessary to provide for an *a crisis* instrument that would *strengthen resilience, improve transparency, and provide clear rules for crisis governance that would apply to the free movement of goods, services and persons* with regards to *disruptions of* the Single Market.

Amendment 9

Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) Since any specific aspects of future crises that would impact the Single Market and its supply chains are hard to predict, this Regulation should provide for a general framework for anticipating, preparing for, mitigating and minimising the negative impacts which any crisis may cause on the Single Market and its supply chains. .

Amendment

(7) Since any specific aspects of future crises that would impact the Single Market and its supply chains are hard to predict, this Regulation should provide for a general framework for anticipating, *preventing*, preparing for, mitigating and minimising the negative impacts which any crisis may cause on the Single Market and its supply chains *while ensuring that any crises related emergency response fully respects fundamental human rights and workers' rights and safeguards and facilitates the free movement of goods, services and persons in line with the Treaties*.

Amendment 10

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The framework of measures set out under this Regulation should be deployed in a coherent, transparent, efficient, proportionate and timely manner, having due regard to the need to maintain vital societal functions, meaning including public security, safety, public order, or public health respecting, the responsibility of the Member States to safeguard national security and their power to safeguard other essential state functions, including ensuring the territorial integrity of the State and maintaining law and order.

Amendment

(8) The framework of measures set out under this Regulation should be deployed in a coherent, transparent, efficient, proportionate and timely manner, having due regard to the need to maintain vital societal functions, meaning including public security, **public** safety, public order, or public health **while** respecting the responsibility of the Member States to safeguard national security and their power to safeguard other essential state functions, including ensuring the territorial integrity of the State and maintaining law and order. ***The framework should also recognise the important role played by social partners in elaborating and implementing contingency measures and ensure full respect for collective bargaining rights and the autonomy of social partners.***

Amendment 11

Proposal for a regulation

Recital 9 – indent 1

Text proposed by the Commission

— the necessary means to ensure the continued functioning of the Single Market, **the** businesses that operate on the Single Market and **its** strategic supply chains, including the free **circulation** of goods, services and persons in times of crisis and the availability of crisis relevant goods and services to citizens, businesses and public authorities **at the time of crisis**;

Amendment

— the necessary means to ensure the continued functioning of the Single Market **also in times of crisis, both for** businesses that operate on the Single Market and **their** strategic supply chains, including the free **movement** of goods, services and persons **under safe conditions**, in times of crisis and the availability of crisis relevant goods and services to citizens, businesses and public authorities, **while ensuring workers' rights and occupational health and safety**;

Amendment 12

Proposal for a regulation Recital 9 – indent 2

Text proposed by the Commission

— a forum for adequate coordination, cooperation and exchange of information; and

Amendment

— a forum for adequate coordination, cooperation and exchange of information ***also in view of speeding up administrative procedures, such as declarations, registrations and authorisations, while using the full potential of digital tools;*** and

Amendment 13

Proposal for a regulation Recital 9 – indent 3

Text proposed by the Commission

— the means for the timely accessibility and availability of the information which is needed for a targeted response and adequate market behaviour by businesses and citizens during a crisis.

Amendment

— the means for the timely accessibility and availability of the information which is needed for a targeted response and adequate market behaviour by businesses, ***workers*** and citizens during a crisis.

Amendment 14

Proposal for a regulation Recital 10

Text proposed by the Commission

(10) Where possible, this Regulation should allow for anticipation of events and crises, building on on-going analysis concerning strategically important areas of the Single Market economy and the Union's continuous foresight work.

Amendment

(10) Where possible, this Regulation should allow for anticipation ***and prevention*** of events and crises, building on on-going analysis concerning strategically important areas of the Single Market economy and the Union's continuous foresight work.

Amendment 15

Proposal for a regulation Recital 17

Text proposed by the Commission

(17) Article 21 TFEU lays down the right of EU citizens to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. The detailed conditions and limitations are laid down in Directive 2004/38/EC. This Directive sets out the general principles applicable to these limitations and the grounds that may be used to justify such measures. ***These grounds are public policy, public security or public health. In this context, restrictions to freedom of movement can be justified if they are proportionate and non-discriminatory.*** This Regulation is not intended to provide for additional grounds for the limitation of the right to free movement of persons beyond those provided for in Chapter VI of Directive 2004/38/EC.

Amendment 16

**Proposal for a regulation
Recital 18**

Text proposed by the Commission

(18) As regards the measures for ***re-establishing*** and facilitating free movement of persons and any other measures affecting the free movement of persons provided under this Regulation, they are based on Article 21 TFEU and complement Directive 2004/38/EC without affecting its application at the time of Single Market emergencies. Such measures should not result in authorising or justifying restrictions to free movement

Amendment

(17) Article 21 TFEU lays down the right of EU citizens to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. The detailed conditions and limitations are laid down in Directive 2004/38/EC. This Directive sets out the general principles applicable to these limitations and the grounds that may be used to justify such measures. ***Member States shall refrain from introducing restrictions on the free movement of Union citizens and their family members and of third-country nationals legally staying or residing in the territories of the Member States as well as refugees and beneficiaries of international protection on grounds of public policy, public security and public health that are directly discriminatory.*** This Regulation is not intended to provide for additional grounds for the limitation of the right to free movement of persons beyond those provided for in Chapter VI of Directive 2004/38/EC.

Amendment

(18) As regards the measures for ***ensuring*** and facilitating free movement of persons and any other measures affecting the free movement of persons provided under this Regulation, they are based on Article 21 TFEU and complement Directive 2004/38/EC without affecting its application at the time of Single Market emergencies. Such measures should not result in authorising or justifying restrictions to free movement contrary to

contrary to the Treaties or other provisions of Union law.

the Treaties or other provisions of Union law.

Amendment 17

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) Article 45 TFEU lays down the right to free movement of workers, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. This Regulation contains provisions which complement the existing measures in order to **reinforce** free movement of persons, increase transparency and provide administrative assistance during Single Market emergencies. Such measures include setting up and making available of the single points of contact to workers and their representatives in the Member States and at Union level during the Single Market vigilance and emergency modes under this regulation.

Amendment

(19) Article 45 TFEU lays down the right to free movement of workers, subject to the limitations and conditions laid down in the Treaties and the measures adopted to give them effect. This Regulation contains provisions, which complement the existing measures in order to **safeguard and facilitate the** free movement of persons, **including workers, under safe conditions, to** increase transparency and **to** provide **adequate and timely information as well as** administrative assistance during Single Market emergencies. Such measures **should provide that essential and crisis relevant workers exercising their freedom of movement during a Single Market emergency are guaranteed the same level of protection in terms of health and safety as local workers active in the relevant sector in the host Member State. They should also** include setting up and making available of the single points of contact to workers and their representatives in the Member States and at Union level during the Single Market vigilance and emergency modes under this regulation. **The Commission and the Member States are encouraged to use existing structures for the operation of these contact points. Such contact points should be active even outside the emergency mode and facilitate communication between the Member States and with the advisory board. The information provided by the contact point should be clear, understandable and accessible to persons with disabilities.**

Amendment 18

Proposal for a regulation Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) In order to facilitate cross-border measures to maintain or reinforce the free movement of workers, the Commission should make full use of digital tools to facilitate cross-border management and coordination of social security rights and obligations. Special attention should be paid to the most affected workers especially mobile workers, including frontier and cross-border workers as well as workers who are able to work remotely but have to do so from a particular Member State.

Amendment 19

Proposal for a regulation Recital 20

Text proposed by the Commission

Amendment

(20) ***If*** Member States ***adopt*** measures affecting free movement of goods or persons, ***goods*** or the freedom to provide services ***in preparation for and during Single Market emergencies, they*** should limit such measures to what is necessary and remove them as soon as the situation allows it. Such measures should respect the ***principles of proportionality and non-discrimination*** and should take into consideration the particular situation of border regions.

(20) ***Citizens, workers, consumers and businesses depend on a well-functioning Single Market and on the freedom of movement under safe conditions also in times of crisis.*** Member States ***should refrain from adopting*** measures affecting ***the*** free movement of goods or persons, or the freedom to provide services ***unless justified on grounds of legitimate public policy, public security or public health and proportionate for the objective pursued.*** ***Any such measures should therefore be proportionate and non-discriminatory.*** Member States should limit such measures to what is necessary and remove them as soon as the situation allows it. Such measures should respect the ***Treaties, Union law and international obligations on fundamental human rights*** and should take into consideration the

particular situation of border regions *and of sectors that are notably dependent on mobile workers, including frontier and cross-border workers. Any measure restricting the free movement should have no longer legal effect when the emergency mode is deactivated.*

Amendment 20

Proposal for a regulation Recital 20 a (new)

Text proposed by the Commission

Amendment

(20a) In the light of digitalisation and its cross-border impacts on the Single Market and the EU labour market, special consideration needs to be given to teleworking arrangements. In particular, in cases of restrictions to the free movement of workers, special attention should be paid to the question of whether mobile workers, including cross borders and frontier workers, are able to carry out their tasks remotely or not. In order to avoid discrimination, workers for whom cross-border telework is not feasible, for example due to the nature of their tasks and responsibilities, should not be subject to undue restrictions to their freedom of movement as long as their health and safety can be ensured. To ensure the equal treatment of workers when exercising their freedom of movement, Member States should allow mobile and cross-border workers to continue crossing their borders to reach their workplace if work in the sector concerned is still allowed in the receiving Member State.

Amendment 21

Proposal for a regulation Recital 21

Text proposed by the Commission

(21) The activation of the Single Market emergency mode should trigger an obligation for the Member States to notify crisis-relevant free movement restrictions.

Amendment

(21) The activation of the Single Market emergency mode should trigger an obligation for the Member States to notify **any** crisis-relevant free movement restrictions **without undue delay, including a justification of its necessity and proportionality. Social partners should be consulted regarding any emergency measure having an impact on the labour market. A close cooperation with social partners can also facilitate the implementation of such measures and information provision to workers, businesses and economic operators.**

Amendment 22

Proposal for a regulation

Recital 22

Text proposed by the Commission

(22) When examining the compatibility of any notified draft or adopted measures with the principle of proportionality, the Commission should **pay due regard to the evolving crisis situation and often limited information that is at the disposal of the Member States when they seek to reduce the emerging risks in the context of the crisis. Where justified and necessary in the circumstances, the Commission may consider based on any available information, including specialised or scientific information, the merits of Member State arguments relying on the precautionary principle as a reason for adoption of free movement of persons restrictions.** It is the task of the Commission to ensure that such measures comply with Union law and do not create unjustified obstacles to the functioning of the Single Market. The Commission should react to the notifications of Member States as quickly as possible, taking into account

Amendment

(22) When examining **the necessity and** the compatibility of any notified draft or adopted measures with the principle of proportionality **and non-discrimination,** the Commission should **consult with stakeholders, such as social partners, regarding the impact on the labour market.** The Commission **should assess** the merits of Member State arguments **including those** relying on the precautionary principle **enshrined in Article 191 TFEU** as a reason for adoption of **restrictions of the** free movement of persons. It is the task of the Commission to ensure that such measures **fully** comply with **the Treaties and** Union law and do not create unjustified obstacles to the functioning of the Single Market **and to the right to free movement.** The Commission should react to the notifications of Member States as quickly as possible, taking into account the circumstances of the particular crisis, and at the latest within the time-

the circumstances of the particular crisis, and at the latest within the time-limits set out by this Regulation.

limits set out by this Regulation.

Amendment 23

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) In order to ensure that the specific Single Market emergency measures provided for in this Regulation are used only where this is indispensable for responding to a particular Single Market emergency, such measures should require individual activation by means of Commission implementing acts, which indicate the reasons for such activation and the crisis-relevant goods or services that such measures apply to.

Amendment

(23) In order to ensure that the specific Single Market emergency measures provided for in this Regulation are used only where this is indispensable for responding to a particular Single Market emergency, such measures should require individual activation by means of Commission implementing acts, which indicate the reasons for such activation and ***how the measures comply with the Treaties, as well as*** the crisis-relevant goods or services that such measures apply to.

Amendment 24

Proposal for a regulation

Recital 24

Text proposed by the Commission

(24) Furthermore, in order to ensure the proportionality of the implementing acts and due respect for the role of economic operators in crisis management, the Commission should only resort to the activation of the Single Market emergency mode, where economic operators are not able to provide a solution on a voluntary basis within a reasonable time. Why this is the case should be indicated in each such act, and in relation to all particular aspects of a crisis.

Amendment

(24) Furthermore, in order to ensure the proportionality of the implementing acts and due respect for ***the autonomy of social partners and*** the role of economic operators in crisis management, the Commission should only resort to the activation of the Single Market emergency mode, where economic operators ***or social partners*** are not able to provide a solution on a voluntary basis within a reasonable time. Why this is the case should be indicated in each such act, and in relation to all particular aspects of a crisis.

Amendment 25

Proposal for a regulation Recital 25

Text proposed by the Commission

(25) Information requests to economic operators should be used by the Commission only where the information which is necessary for responding adequately to the Single Market emergency, such as information necessary for procurement by the Commission on behalf of the Member States or estimating the production capacities of manufacturers of crisis-relevant goods the supply chains of which have been disrupted, cannot be obtained from publicly available sources or as a result of information provided voluntarily.

Amendment

(25) Information requests to economic operators should be used by the Commission ***with due regard to trade secrets in line with Directive 2016/943*** only where the information which is necessary for responding adequately to the Single Market emergency, such as information necessary for procurement by the Commission on behalf of the Member States or estimating the production capacities of manufacturers of crisis-relevant goods the supply chains of which have been disrupted, cannot be obtained from publicly available sources or as a result of information provided voluntarily.

Amendment 26

Proposal for a regulation Recital 28

Text proposed by the Commission

(28) In cases where there are substantial risks to the functioning of the Single Market or in cases of severe shortages or an exceptionally high demand of goods of ***strategic*** importance, measures at Union level aimed to ensure the availability of crisis-relevant products, such as priority rated orders, may prove to be indispensable for the return to the normal functioning of the Single Market.

Amendment

(28) In cases where there are substantial risks to the functioning of the Single Market or in cases of severe shortages or an exceptionally high demand of goods of ***critical*** importance, measures at Union level aimed to ensure the availability of crisis-relevant products, such as priority rated orders, may prove to be indispensable for the return to the normal functioning of the Single Market.

Amendment 27

Proposal for a regulation Recital 30

Text proposed by the Commission

(30) Where there is a severe shortage of crisis-relevant products or services on the Single market during a Single Market emergency, and it is clear that the economic operators that operate on the Single market do not produce any such goods, but would in principle be able to repurpose their production lines or would have insufficient capacity to provide the goods or services needed, the Commission should be able to recommend to the Member States as a last resort to take measures to facilitate or request the ramping up or repurposing of production capacity of manufacturers or the capacity of the service providers to provide crisis-relevant services. In doing so the Commission would inform the Member States as to the severity of the shortage and the type of the crisis-relevant goods or services that are needed and would provide support and advice in relation to the flexibilities in the EU acquis for such purposes.

Amendment

(30) Where there is a severe shortage of crisis-relevant products or services on the Single market during a Single Market emergency, and it is clear that the economic operators that operate on the Single market do not produce any such goods, but would in principle be able to repurpose their production lines or would have insufficient capacity to provide the goods or services needed, the Commission should be able to recommend to the Member States as a last resort to take measures, ***strictly limited to what is necessary and only for a limited period of time***, to facilitate or request the ramping up or repurposing of production capacity of manufacturers or the capacity of the service providers to provide crisis-relevant services. In doing so, the Commission would inform the Member States, ***the advisory group and the European Parliament*** as to the severity of the shortage and the type of the crisis-relevant goods or services that are needed and would provide support and advice in relation to the flexibilities in the EU acquis for such purposes. ***If any ramping up or repurposing of production capacity of manufacturers have an impact on workers in a company or sector, workers' representatives and trade unions should be informed and consulted before and during the implementation phase.***

Amendment 28

Proposal for a regulation
Recital 35

Text proposed by the Commission

(35) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards

Amendment

(35) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards

the possibility to adopt supportive measures for facilitating free movement of persons, for establishing a list of individual targets (quantities and deadlines) for those strategic reserves that the Member States should maintain, so that the objectives of the initiative are achieved. Furthermore, implementing powers should be conferred on the Commission as regards activating the vigilance mode and vigilance measures in order to carefully monitor the strategic supply chains and coordinate the building up of strategic reserves for goods and services of strategic importance. Moreover, implementing powers should be conferred on the Commission as regards activation of specific emergency response measures at the time of a Single Market emergency, to allow for a rapid and coordinated response. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

the possibility to adopt supportive measures for facilitating free movement of persons, ***including the protection of workers exercising this right, and*** for establishing a list of individual targets (quantities and deadlines) for those strategic reserves that the Member States should maintain, so that the objectives of the initiative are achieved. Furthermore, implementing powers should be conferred on the Commission as regards activating the vigilance mode and vigilance measures in order to carefully monitor the strategic supply chains and coordinate the building up of strategic reserves for goods and services of strategic importance. Moreover, implementing powers should be conferred on the Commission as regards activation of specific emergency response measures at the time of a Single Market emergency, to allow for a rapid and coordinated response. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

Amendment 29

Proposal for a regulation

Recital 36

Text proposed by the Commission

(36) This Regulation ***respects*** fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union (the ‘Charter’). In particular, it respects ***the*** right to privacy ***of the economic operators*** enshrined in Article 7 of the Charter, right to data protection set out in Article 8 of the Charter, the freedom to conduct business and the freedom of contract, which are protected by Article 16 of the Charter, the right to property, protected by Article 17 of the Charter, right to collective bargaining and action protected by Article 26 of the

Amendment

(36) This Regulation ***safeguards the*** fundamental rights ***as laid down in the Treaties*** and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union (the ‘Charter’) ***and the right to liberty and security of person (Article 6)***. In particular, it respects ***everyone’s*** right to privacy enshrined in Article 7 of the Charter, ***the*** right to data protection set out in Article 8 ***of the Charter, the freedom to choose an occupation and the right to engage in work as protected by Article 15*** of the Charter, the freedom to conduct business and the freedom of contract, which are

Charter and the right to an effective judicial remedy and to a fair trial as provided for in Article 47 of the Charter. Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. The Regulation should not affect the autonomy of the social partners as recognised by the TFEU.

protected by Article 16 of the Charter, the right to property, protected by Article 17 of the Charter, ***the right to non-discrimination as protected by Article 21 of the Charter***, the right to collective bargaining and action protected by Article 28 of the Charter, ***the right to fair and just working conditions as protected by Article 31 of the Charter***, and the right to an effective judicial remedy and to a fair trial as provided for in Article 47 of the Charter. ***No emergency measure triggered under this Regulation in response to a crisis on the Single Market should be used to undermine or circumvent fundamental human rights as guaranteed under the Charter or international human rights instruments.*** Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. The Regulation should not affect the autonomy of the social partners as recognised by the TFEU.

Amendment 30

Proposal for a regulation

Recital 38

Text proposed by the Commission

(38) The Union framework shall include interregional elements to establish coherent, multi-sectoral, cross-border Single Market vigilance and emergency response measures, in particular considering the resources, capacities and vulnerabilities across neighbouring regions, specifically border regions.

Amendment

(38) The Union framework shall include interregional elements to establish coherent, multi-sectoral, cross-border Single Market vigilance and emergency response measures, in particular considering the resources, capacities and vulnerabilities across neighbouring regions, specifically border regions ***as well as the situation of mobile workers,***

including frontier workers and cross border workers, with a specific focus on workers' rights and working conditions.

Amendment 31

Proposal for a regulation Article 1 – paragraph 1

Text proposed by the Commission

1. This Regulation establishes a framework of measures to anticipate, prepare for and respond to impacts of crises on the Single Market, with the purpose of safeguarding the free movement of goods, services and persons and of ensuring the availability of goods and services of **strategic** importance and crisis-relevant goods and services in the Single Market.

Amendment

1. This Regulation establishes a framework of measures to anticipate, **prevent**, prepare for and respond to impacts of crises on the Single Market, with the purpose of safeguarding **and facilitating** the free movement of goods, services and persons **in line with the Treaties, including the free movement of workers, of strengthening its resilience and functioning, of protecting consumers, the environment and workers fundamental rights in times of crisis**, and of ensuring the availability of goods and services of **critical** importance and crisis-relevant goods and services in the Single Market.

Amendment 32

Proposal for a regulation Article 1 – paragraph 2 – point c

Text proposed by the Commission

(c) contingency measures aiming at anticipation and planning;

Amendment

(c) contingency measures aiming at anticipation, **prevention** and planning;

Amendment 33

Proposal for a regulation Article 1 – paragraph 3

Text proposed by the Commission

3. Member States shall regularly

Amendment

3. Member States shall regularly

exchange information on all matters falling within the scope of this Regulation among themselves and with the Commission.

exchange information on all matters falling within the scope of this Regulation among themselves, *the advisory group*, and with the Commission. *The European Parliament shall have timely access to that information.*

Amendment 34

Proposal for a regulation

Article 2 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. This Regulation shall not in any way affect the exercise of fundamental rights as recognised in the Member States and at Union level, including the right or freedom to strike or to take other action covered by the specific industrial relations systems in Member States, in accordance with national law and/or practice. Nor does it affect the right to negotiate, to conclude and enforce collective agreements, or to take collective action in accordance with national law and/or practice.

Amendment 35

Proposal for a regulation

Article 2 – paragraph 7

Text proposed by the Commission

Amendment

7. Any actions under this Regulation shall be consistent with Union's obligations under international law

7. Any actions under this Regulation shall be consistent with Union's obligations under international law, ***including human rights obligations.***

Amendment 36

Proposal for a regulation

Article 3 – paragraph 1 – point 1

Text proposed by the Commission

(1) ‘crisis’ means an exceptional unexpected and sudden, natural or man-made event of extraordinary nature and scale that takes place inside or outside of the Union;

Amendment

(1) ‘crisis’ means an exceptional unexpected and sudden, natural or man-made event of extraordinary nature and scale that takes place inside or outside of the Union, ***with the exclusion of collective actions, and that results or risks to result in a significant disruption of the proper functioning of the Single Market, including the freedom of movement of goods, services and persons;***

Amendment 37

**Proposal for a regulation
Article 3 – paragraph 1 – point 2**

Text proposed by the Commission

(2) ‘Single Market vigilance mode’ means a framework for addressing a threat of significant disruption of the supply of goods and services of ***strategic*** importance and which has the potential to escalate into a Single Market emergency within the next six months;

Amendment

(2) ‘Single Market vigilance mode’ means a framework for addressing a threat of ***a*** significant disruption of the supply of goods and services of ***critical*** importance ***and/or the free movement of persons***, and which has the potential to escalate into a Single Market emergency within the next six months;

Amendment 38

**Proposal for a regulation
Article 3 – paragraph 1 – point 3**

Text proposed by the Commission

(3) ‘Single Market emergency’ means a wide-ranging impact of a crisis on the Single Market that severely disrupts the free movement on the Single Market or the functioning of the supply chains that are indispensable in the maintenance of vital societal or economic activities in the Single Market;

Amendment

(3) ‘Single Market emergency’ means a wide-ranging impact of a crisis on the Single Market that severely disrupts the free movement ***of goods, services and persons*** on the Single Market or the functioning of the supply chains that are indispensable in the maintenance of vital societal or economic activities in the Single Market;

Amendment 39

Proposal for a regulation Article 3 – paragraph 1 – point 4

Text proposed by the Commission

(4) ‘**strategically** important areas’ means those areas with critical importance to the Union and its Member States, in that they are of systemic and vital importance for public security, public safety, public order or public health, and the disruption, failure, loss or destruction of which would have a significant impact on the functioning of the Single Market;

Amendment

(4) ‘**critically** important areas’ means those areas with critical importance to the Union and its Member States, in that they are of systemic and vital importance for public security, public safety, public order or public health, and the disruption, failure, loss or destruction of which would have a significant impact on the functioning of the Single Market;

Amendment 40

Proposal for a regulation Article 3 – paragraph 1 – point 5

Text proposed by the Commission

(5) ‘goods and services of **strategic** importance’ means goods and services that are indispensable for ensuring the functioning of the Single Market in **strategically** important areas and which cannot be substituted or diversified;

Amendment

(5) ‘goods and services of **critical** importance’ means goods and services that are indispensable for ensuring the functioning of the Single Market in **critically** important areas and which cannot be substituted or diversified **in a timely manner**;

Amendment 41

Proposal for a regulation Article 3 – paragraph 1 – point 7

Text proposed by the Commission

(7) ‘strategic reserves’ means a stock of goods of **strategic** importance for which building a reserve may be necessary to prepare for a Single Market emergency, under the control of a Member State.

Amendment

(7) ‘strategic reserves’ means a stock of goods of **critical** importance for which building a reserve may be necessary to prepare for a Single Market emergency, under the control of a Member State.

Amendment 42

Proposal for a regulation Article 3 – paragraph 1 – point 7 a (new)

Text proposed by the Commission

Amendment

(7a) ‘economic operator’ means the manufacturer, the authorised representative, the importer and the distributor as defined in Regulation 765/2008/EC or a service provider as defined in Directive 2006/123/EC.

Amendment 43

Proposal for a regulation Article 4 – paragraph 2

Text proposed by the Commission

Amendment

2. The advisory group shall be composed of one representative from each Member State. Each Member State shall nominate a representative and an alternate representative.

2. The advisory group shall be composed of one representative from each Member State **and four representatives of European social partners**. Each Member State shall nominate a representative and an alternate representative. **Cross-industry social partner organisations at Union level may designate four representatives to the advisory group with an equal representation of trade union and employer organisations.**

Amendment 44

Proposal for a regulation Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission shall chair the advisory group and ensure its secretariat. The **Commission may** invite **a representative of** the European Parliament, representatives of EFTA States that are contracting parties to the Agreement on the

3. The Commission shall chair the advisory group and ensure its secretariat. The **advisory group shall** invite **the representatives of other crisis-relevant bodies at Union level, one independent expert appointed by** the European

European Economic Area⁴⁹,
representatives of economic operators,
stakeholder organisations, social partners
and experts, to attend meetings of the
advisory group **as observers. It shall invite
the representatives of other crisis-relevant
bodies at Union level as observers to the
relevant meetings of the advisory group.**

⁴⁹ OJ L 1, 3.1.1994, p. 3.

Parliament **and** representatives of EFTA
States that are contracting parties to the
Agreement on the European Economic
Area, **as observers to its the relevant
meetings. It may invite** representatives of
economic operators, **trade unions,
employers and** stakeholder organisations,
social partners **as well as workers’
representatives and other relevant** experts
to attend **the** meetings of the advisory
group **to provide input.**

⁴⁹ OJ L 1, 3.1.1994, p. 3.

Amendment 45

Proposal for a regulation

Article 4 – paragraph 4 – introductory part

Text proposed by the Commission

4. For the purpose of contingency
planning under Articles 6 to 8, the advisory
group shall assist and advise the
Commission as regards the following tasks:

Amendment

4. For the purpose of **strengthening
the resilience and the proper functioning
of the Single Market and** contingency
planning under Articles 6 to 8, the advisory
group shall assist and advise the
Commission as regards the following tasks:

Amendment 46

Proposal for a regulation

Article 4 – paragraph 4 – point b

Text proposed by the Commission

(b) **assessing** significant
incidents that the Member States have
alerted the Commission to.

Amendment

(b) **Assessing** significant incidents that
the Member States have alerted the
Commission to.

Amendment 47

Proposal for a regulation

Article 4 – paragraph 5 – point c

Text proposed by the Commission

(c) consulting **the** representatives of economic operators, including SMEs, and industry to collect market intelligence;

Amendment

(c) consulting representatives of economic operators, including SMEs and industry, **and, where relevant, of trade unions and employer organisations**, to collect market intelligence;

Amendment 48

Proposal for a regulation

Article 4 – paragraph 5 – point c a (new)

Text proposed by the Commission

Amendment

(ca) consulting representatives of trade unions and employers to better understand the social and labour market impacts of potential crises and related measures, especially on worker’s rights and on the freedom of movement of workers with a special focus on mobile workers, including frontier and cross-border workers;

Amendment 49

Proposal for a regulation

Article 4 – paragraph 5 – point f

Text proposed by the Commission

Amendment

(f) maintaining a repository of national and Union crisis measures that have been used in previous crises that have had an impact on the Single Market and its supply chains

(f) maintaining a repository of national and Union crisis measures that have been used in previous crises that have had an impact on the Single Market and its supply chains ***but also on the labour market, workers’ rights, working conditions and the freedom of movement of workers.***

Amendment 50

Proposal for a regulation

Article 4 – paragraph 6 – point a a (new)

Text proposed by the Commission

Amendment

(aa) consulting representatives of trade unions and employers on the impact of the emergency on the labour market and the free movement of workers particularly mobile workers, including frontier and cross-border workers;

Amendment 51

Proposal for a regulation

Article 4 – paragraph 6 – point a b (new)

Text proposed by the Commission

Amendment

(ab) consulting representatives of economic operators, including SMEs and industry, and where relevant, of trade unions and employer organisations to collect market intelligence and assess the impact of the emergency as referred to in Article 3(3);

Amendment 52

Proposal for a regulation

Article 4 – paragraph 6 – point d a (new)

Text proposed by the Commission

Amendment

(da) proposing and assessing measures to strengthen the Single Market's resilience, such as mapping of relevant supply chains and stress tests;

Amendment 53

Proposal for a regulation

Article 4 – paragraph 7

Text proposed by the Commission

Amendment

7. The Commission shall ensure the

7. The Commission shall ensure the

participation of all bodies at Union level that are relevant to the respective crisis. The advisory group shall cooperate and coordinate closely, where appropriate, with other relevant crisis-related bodies at Union level. The Commission shall ensure coordination with the measures implemented through other Union mechanisms, such as the Union Civil Protection Mechanism (UCPM) or the EU Health Security Framework. The advisory group shall ensure information exchange with the Emergency Response Coordination Centre under the UCPM.

participation of all bodies at Union level that are relevant to the respective crisis. The advisory group shall cooperate and coordinate closely, where appropriate, with other relevant crisis-related bodies at Union level. The Commission shall ensure coordination with the measures implemented through other Union mechanisms, such as the Union Civil Protection Mechanism (UCPM) or the EU Health Security Framework. The advisory group shall ensure information exchange with the Emergency Response Coordination Centre under the UCPM. ***The Commission shall report on the work of the advisory group to the European Parliament at least once every year and more frequently in times of crisis.***

Amendment 54

Proposal for a regulation Article 4 – paragraph 9

Text proposed by the Commission

9. The advisory group may adopt opinions, recommendations or reports in the context of its tasks set out in paragraphs 4 to 6.

Amendment

9. The advisory group may adopt opinions, recommendations or reports in the context of its tasks set out in paragraphs 4 to 6. ***Opinions, recommendations and reports of the advisory group shall be made public insofar as they are in accordance with Directive 2016/943 and their disclosure is not contrary to public policy and security interests.***

Amendment 55

Proposal for a regulation Article 6 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission taking into consideration the opinion of the advisory

Amendment

1. The Commission taking into consideration the opinion of the advisory

group and the input of relevant Union level bodies, *is empowered* after consulting the Member States, to adopt a delegated act to supplement this Regulation with a framework setting out crisis protocols regarding crisis cooperation, exchange of information and crisis communication for the Single Market vigilance and emergency modes, in particular:

group and the input of relevant Union level bodies *and* after consulting the Member States, *is empowered* to adopt a delegated act to supplement this Regulation with a framework setting out crisis protocols regarding crisis cooperation, exchange of information and crisis communication for the Single Market vigilance and emergency modes, in particular:

Amendment 56

Proposal for a regulation Article 6 – paragraph 1 – point c

Text proposed by the Commission

(c) a coordinated approach to risk and crisis communication also vis-à-vis the public with a coordinating role for the Commission;

Amendment

(c) a coordinated approach to risk and crisis communication also vis-à-vis the public, *economic operators, workers, employers, trade unions and other relevant stakeholders* with a coordinating role for the Commission;

Amendment 57

Proposal for a regulation Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Where the Commission, in adopting a delegated act, does not reflect the opinion of the advisory group, it shall explain its reasons in writing.

Amendment 58

Proposal for a regulation Article 6 – paragraph 2 – point b

Text proposed by the Commission

(b) consultation of *the* representatives of economic operators *and social partners*,

Amendment

(b) consultation of representatives of economic operators, including SMEs *and*

including SMEs, on *their* initiatives and actions to mitigate and respond to potential supply chain disruptions and overcome potential shortages of goods and services in the Single Market;

industry, as well as trade unions and employers on initiatives and actions to mitigate and respond to potential supply chain disruptions and *disruptions of the free movement of workers, and to* overcome potential shortages of goods and services in the Single Market;

Amendment 59

Proposal for a regulation

Article 6 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) consultation of economic operators, including SMEs and industry, as well as trade unions and employers regarding the impact of initiatives and actions on the labour market, occupational health and safety, working conditions and fundamental worker's rights, including in areas of critical importance;

Amendment 60

Proposal for a regulation

Article 8 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) *the* number of economic operators affected by the disruption or potential disruption;

(a) *an estimated* number of economic operators *and workers* affected by the disruption or potential disruption, *including possible disruptions on the labour market and on the free movement of workers, with a special focus on mobile workers, including frontier and cross-border workers;*

Amendment 61

Proposal for a regulation

Article 9 – paragraph 1 – point b

Text proposed by the Commission

(b) list of the goods and services of **strategic** importance concerned, and

Amendment

(b) list of the goods and services of **critical** importance concerned, and

Amendment 62

Proposal for a regulation Article 9 – paragraph 2

Text proposed by the Commission

2. The implementing act referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article **41(2)**.

Amendment

2. The implementing act referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article **42(2)**. ***The Commission shall report any activation of the vigilance mode to the European Parliament and the Council without undue delay.***

Amendment 63

Proposal for a regulation Article 10 – paragraph 1

Text proposed by the Commission

1. The Commission, if it considers that the reasons for activating the vigilance mode pursuant to Article 9(1) remain valid, and taking into consideration the opinion provided by the advisory group, may extend the vigilance mode for a maximum duration of six months by means of an implementing act.

Amendment

1. The Commission, if it considers that the reasons for activating the vigilance mode pursuant to Article 9(1) remain valid, and taking into consideration the opinion provided by the advisory group, may extend the vigilance mode for a maximum duration of six months by means of an implementing act. ***Any extension shall be reported to the European Parliament and the Council without undue delay.***

Amendment 64

Proposal for a regulation Article 10 – paragraph 2

Text proposed by the Commission

2. Where the Commission, taking into consideration the opinion provided by the advisory group, finds that the threat referred to in Article 3(2) is no longer present, with respect to some or all vigilance measures or for some or all of the goods and services, it shall deactivate the vigilance mode in full or in part by means of an implementing act.

Amendment

2. Where the Commission, taking into consideration the opinion provided by the advisory group, finds that the threat referred to in Article 3(2) is no longer present, with respect to some or all vigilance measures or for some or all of the goods and services, it shall deactivate the vigilance mode in full or in part by means of an implementing act. ***Any deactivation shall be reported to the European Parliament and the Council without undue delay.***

Amendment 65

**Proposal for a regulation
Article 11 – paragraph 1**

Text proposed by the Commission

1. When the vigilance mode has been activated in accordance with Article 9, national competent authorities shall monitor the supply chains of goods and services of ***strategic*** importance that have been identified in the implementing act activating the vigilance mode.

Amendment

1. When the vigilance mode has been activated in accordance with Article 9, national competent authorities shall monitor the supply chains of goods and services of ***critical*** importance that have been identified in the implementing act activating the vigilance mode. ***Member States shall, in consultation with social partners, assess how workers and economic operators in critical areas identified might be affected by the potential crisis.***

Amendment 66

**Proposal for a regulation
Article 12 – paragraph 1 – subparagraph 1**

Text proposed by the Commission

The Commission may, among the goods of ***strategic*** importance listed in an implementing act adopted pursuant to

Amendment

The Commission may, among the goods of ***critical*** importance listed in an implementing act adopted pursuant to

Article 9(1), identify those for which it may be necessary to build a reserve in order to prepare for a Single Market emergency, taking into account the probability and impact of shortages. The Commission shall inform the Member States thereof.

Article 9(1), identify those for which it may be necessary to build a reserve in order to prepare for a Single Market emergency, taking into account the probability and impact of shortages. The Commission shall inform the Member States, *the European Parliament and the advisory board* thereof.

Amendment 67

Proposal for a regulation

Article 12 – paragraph 2 – subparagraph 3

Text proposed by the Commission

Member States shall report to the Commission the levels of strategic reserves of goods of *strategic* importance held by them, and the levels of other stocks of such goods held on their territory.

Amendment

Member States shall report to the Commission the levels of strategic reserves of goods of *critical* importance held by them, and the levels of other stocks of such goods held on their territory.

Amendment 68

Proposal for a regulation

Article 12 – paragraph 3

Text proposed by the Commission

3. Taking due account of stocks held or being built up by economic operators on their territory, Member States shall deploy their best efforts to build up strategic reserves of the goods of *strategic* importance identified in accordance with paragraph 1. The Commission shall provide support to Member States to coordinate and streamline their efforts.

Amendment

3. Taking due account of stocks held or being built up by economic operators on their territory, Member States shall deploy their best efforts to build up strategic reserves of the goods of *critical* importance identified in accordance with paragraph 1. The Commission shall provide support to Member States to coordinate and streamline their efforts.

Amendment 69

Proposal for a regulation

Article 12 – paragraph 4 – introductory part

Text proposed by the Commission

4. Where the building of strategic reserves of goods of **strategic** importance identified pursuant to paragraph 1 can be rendered more effective by streamlining among Member States, the Commission may draw up and regularly update, by means of implementing acts, a list of individual targets regarding the quantities and the deadlines for those strategic reserves that the Member States should maintain. When setting the individual targets for each Member State, the Commission shall take into account:

Amendment

4. Where the building of strategic reserves of goods of **critical** importance identified pursuant to paragraph 1 can be rendered more effective by streamlining among Member States, the Commission may draw up and regularly update, by means of implementing acts, a list of individual targets regarding the quantities and the deadlines for those strategic reserves that the Member States should maintain. When setting the individual targets for each Member State, the Commission shall take into account:

Amendment 70

Proposal for a regulation

Article 12 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Where the strategic reserves of a Member State continuously fall significantly short of the individual targets referred to in paragraph 4 and economic operators on its territory are not able to compensate that shortfall, the Commission may, at its own initiative or at the request of 14 Member States, assess the need to take further measures to build up strategic reserves of goods of **strategic** importance identified pursuant to paragraph 1.

Amendment

Where the strategic reserves of a Member State continuously fall significantly short of the individual targets referred to in paragraph 4 and economic operators on its territory are not able to compensate that shortfall, the Commission may, at its own initiative or at the request of 14 Member States, assess the need to take further measures to build up strategic reserves of goods of **critical** importance identified pursuant to paragraph 1.

Amendment 71

Proposal for a regulation

Article 13 – paragraph 1 – point a (new)

Text proposed by the Commission

Amendment

(aa) the crisis has already severely disrupted the freedom of movement of persons, goods and services or is likely to

do so, with a particular focus on mobile workers, including frontier and cross-border workers;

Amendment 72

Proposal for a regulation Article 13 – paragraph 1 – point a b (new)

Text proposed by the Commission

Amendment

(ab) the introduction of travel restrictions and border controls;

Amendment 73

Proposal for a regulation Article 13 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) the impacts in terms of degree and duration on economic and societal activities, the environment and public safety;

(d) the impacts in terms of degree and duration on economic and societal activities, *including the labour market, as well as on the climate*, the environment and public safety;

Amendment 74

Proposal for a regulation Article 13 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) the market *position* of affected economic operators in the concerned sector or sectors;

(f) the market *share* of affected economic operators in the concerned sector or sectors, *where that share is critical to the supply of crisis-relevant goods and services;*

Amendment 75

Proposal for a regulation Article 13 – paragraph 1 – point g

Text proposed by the Commission

(g) the geographic ***area that is*** and could be affected, including any cross-border impacts on the functioning of supply chains that are indispensable in the maintenance of vital societal or economic activities in the Single Market;

Amendment

(g) the geographic ***areas, in particular border regions, that are*** and could be affected, including any cross-border impacts on ***the free movement of goods, services and persons and*** the functioning of supply chains that are indispensable in the maintenance of vital societal or economic activities in the Single Market;

Amendment 76

**Proposal for a regulation
Article 13 – paragraph 1 – point h**

Text proposed by the Commission

(h) the importance of the affected economic ***operator*** in maintaining a sufficient level of supply of the goods or services, taking into account the availability of alternative means for the provision of those goods or services; and

Amendment

(h) the importance of the affected economic ***operators*** in maintaining a sufficient level of supply of the goods or services, taking into account the availability of alternative means for the provision of those goods or services; and

Amendment 77

**Proposal for a regulation
Article 13 – paragraph 1 – point i**

Text proposed by the Commission

(i) the absence of substitute goods, inputs or services.

Amendment

(i) the absence ***or shortage*** of substitute goods, inputs or services.

Amendment 78

**Proposal for a regulation
Article 14 – paragraph 2**

Text proposed by the Commission

2. Where the Commission, taking into consideration the opinion provided by the

Amendment

2. Where the Commission, taking into consideration the opinion provided by the

advisory group, considers there is a Single Market emergency, it shall propose to the Council to activate the Single Market emergency mode.

advisory group, considers there is a Single Market emergency, it shall propose to the Council to activate the Single Market emergency mode **and inform Parliament without undue delay.**

Amendment 79

Proposal for a regulation Article 14 – paragraph 3

Text proposed by the Commission

3. The Council may activate the Single Market emergency mode by means of a Council implementing act. The duration of the activation, **hall** be specified in the implementing act, and shall be a maximum of six months.

Amendment

3. The Council may activate the Single Market emergency mode by means of a Council implementing act. ***This implementing act shall include where relevant an overview of crisis relevant goods and services as well as sectors notably depending on mobile workers, including frontier and cross-border workers.*** The duration of the activation, **shall** be specified in the implementing act, and shall be a maximum of six months.

Amendment 80

Proposal for a regulation Article 14 – paragraph 5

Text proposed by the Commission

5. As soon as the Single Market emergency mode is activated, the Commission shall, without delay, adopt a list of crisis-relevant goods and services by means of an implementing act. The list may be amended by means of implementing acts.

Amendment

5. As soon as the Single Market emergency mode is activated, the Commission shall, without delay, ***consult the advisory group and*** adopt a list of crisis-relevant goods and services ***as well as sectors notably depending on mobile workers, including frontier and cross-border workers*** by means of an implementing act. The list may be amended by means of implementing acts.

Amendment 81

Proposal for a regulation
Part IV – title II – Chapter I – title

Text proposed by the Commission

Measures for **re-establishing** and facilitating free movement

Amendment

Measures for **ensuring** and facilitating free movement

Amendment 82

Proposal for a regulation
Article 16 – paragraph 1

Text proposed by the Commission

1. **When adopting and applying** national measures in response to a Single Market emergency and the underlying crisis, **Member States** shall ensure that **their actions** fully comply with the Treaty and Union law and, **in particular, with** the requirements laid down in this Article.

Amendment

1. **Where Member States adopt and apply** national measures in response to a Single Market emergency and the underlying crisis, **they** shall ensure that **such measures are justified, proportionate non-discriminatory and** fully comply with the Treaty and Union law, **international obligations on fundamental human rights and worker's rights as well as** the requirements laid down in this Article.

Amendment 83

Proposal for a regulation
Article 16 – paragraph 2

Text proposed by the Commission

2. Any restriction shall be limited in time and removed as soon as the situation allows **it**. Additionally, any restriction should take into account the situation of border regions.

Amendment

2. Any restriction shall be limited in time and **to what is strictly necessary. Any restriction shall be regularly reviewed and removed as soon as the situation allows for. Any restriction shall have no longer legal effect when the emergency mode is deactivated.** Additionally, any restriction should take into account the situation of border regions **and that of mobile workers, in particular cross-border and frontier workers.**

Amendment 84

Proposal for a regulation Article 16 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Any restriction on the free movement of Union citizens and their family members and of third-country nationals legally staying or residing in the territories of Member States, as well as of refugees and beneficiaries of international protection for reasons of public policy, public security or public health, or any other measure having equivalent effect, shall not be implemented without prior risk assessment;

Amendment 85

Proposal for a regulation Article 16 – paragraph 3

Text proposed by the Commission

Amendment

3. Any requirement imposed on citizens **and businesses** shall not create an undue or unnecessary administrative burden.

3. Any requirement imposed on citizens, **workers, employers and economic operators** shall not create an undue or unnecessary administrative burden.

Amendment 86

Proposal for a regulation Article 16 – paragraph 4

Text proposed by the Commission

Amendment

4. Member States shall inform citizens, consumers, **businesses**, workers and their representatives about measures that affect their free movement rights in a clear and unambiguous manner.

4. Member States shall inform citizens, consumers, **economic operators**, workers, **employers** and their representatives about measures that affect their free movement rights in a clear, **timely** and unambiguous manner **so as to**

ensure legal certainty and facilitate cross-border coordination. Member States shall cooperate with social partners at national and local level to ensure the effective dissemination of relevant information to workers and economic operators. All information shall be made available electronically, be easily accessible for persons with disabilities, and in relevant languages in particular in cross-border situations.

Amendment 87

Proposal for a regulation Article 16 – paragraph 5

Text proposed by the Commission

5. Member States shall ensure that all affected stakeholders are informed of measures restricting free movement of goods, services and persons, including workers and service providers, before their entry into force. Member States shall ensure a continuous dialogue with stakeholders, ***including communication with social partners*** and international partners.

Amendment

5. Member States shall ensure that all affected stakeholders are informed of measures restricting free movement of goods, services and persons, including workers and service providers, ***as well as the anticipated expiry of such measures***, before their entry into force. Member States shall ***duly involve social partners in the development and, where applicable, implementation of any measure with an impact on the free movement of persons*** and ensure a continuous dialogue with ***other*** stakeholders and international partners.

Amendment 88

Proposal for a regulation Article 17 – paragraph 1 – point c

Text proposed by the Commission

(c) discrimination between Member States or between citizens, including in their role as service providers or workers, based directly on nationality or, in the case of companies, the location of the registered

Amendment

(c) discrimination between Member States or between citizens, including in their role as service providers or workers, based directly ***or indirectly*** on nationality or, in the case of companies, the location of

office, central administration or principal place of business;

the registered office, central administration or principal place of business;

Amendment 89

Proposal for a regulation

Article 17 – paragraph 1 – point d – introductory part

Text proposed by the Commission

(d) restrictions on the free movement of persons involved in the production of crisis-relevant goods that are listed in an implementing act adopted pursuant to Article 14, paragraph 5 and their parts or in provision of crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14 paragraph 5, or other measures having equivalent effect, that:

Amendment

(d) restrictions on the free movement of persons involved in the production of crisis-relevant goods that are listed in an implementing act adopted pursuant to Article 14, paragraph 5 and their parts or in provision of crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14 paragraph 5 **or which are essential to the functioning of the distorted sector**, or other measures having equivalent effect, that:

Amendment 90

Proposal for a regulation

Article 17 – paragraph 1 – point d – point ii

Text proposed by the Commission

(ii) are directly discriminatory based on nationality of the person.

Amendment

(ii) are directly **or indirectly** discriminatory based on nationality of the person.

Amendment 91

Proposal for a regulation

Article 17 – paragraph 2 – introductory part

Text proposed by the Commission

2. During the Single Market emergency mode and when responding to the Single Market emergency, Member States shall refrain from any of the following, unless to do so is inherent to the

Amendment

2. During the Single Market emergency mode and when responding to the Single Market emergency, Member States shall refrain from any of the following, unless to do so is inherent to the

nature of the crisis:

nature of the crisis ***on grounds of public policy, public security or public health and proportionate for achieving the objective purportedly pursued:***

Amendment 92

Proposal for a regulation

Article 17 – paragraph 3 – introductory part

Text proposed by the Commission

3. During the Single Market emergency mode and when responding to a Single Market emergency, Member States shall refrain from any of the following unless to do so is inherent to the nature of the crisis/Single Market emergency:

Amendment

3. During the Single Market emergency mode and when responding to a Single Market emergency, Member States shall refrain from any of the following unless to do so is inherent to the nature of the crisis/Single Market emergency ***on grounds of public policy, public security or public health and proportionate for achieving the objective purportedly pursued:***

Amendment 93

Proposal for a regulation

Article 17 – paragraph 4 – point a

Text proposed by the Commission

(a) applying of more generous rules to travel to or from one Member State to or from another Member State or group of Member States, as compared to travel to and from other Member States unless to do so is inherent to the nature of the crisis/Single Market emergency;

Amendment

(a) applying of more generous rules to travel to or from one Member State to or from another Member State or group of Member States, as compared to travel to and from other Member States unless to do so is inherent to the nature of the crisis/Single Market emergency ***on grounds of public policy, public security or public health and proportionate for achieving the objective purportedly pursued;***

Amendment 94

Proposal for a regulation
Article 17 – paragraph 4 – point d

Text proposed by the Commission

(d) imposing prohibitions on travel, including travel for imperative family reasons, which are not **appropriate** for the achievement of any legitimate public interest purportedly pursued by such measures or which manifestly go beyond what is necessary to achieve that aim;

Amendment

(d) imposing prohibitions on travel, including travel for imperative family reasons, which are not **proportionate** for the achievement of any legitimate public interest purportedly pursued by such measures or which manifestly go beyond what is necessary to achieve that aim;

Amendment 95

Proposal for a regulation
Article 17 – paragraph 4 – point e

Text proposed by the Commission

(e) imposing restrictions on workers and service providers and their representatives, **unless** to do so **inherent to the nature of the crisis/Single Market emergency and it does not manifestly go beyond what is necessary for that purpose.**

Amendment

(e) imposing restrictions on workers and service providers and their representatives, **which are not proportionate for achieving the objective purportedly pursued by such measures. To this end, due regard should be given to the needs of mobile workers, in particular frontier and cross-border workers, who depend on the freedom of movement to access their workplace, in particular those in professions which require physical presence, as well as workers who are able to work remotely but have to do so from a particular Member State.**

Amendment 96

Proposal for a regulation
Article 17 – paragraph 5

Text proposed by the Commission

5. When a Single Market emergency has been activated in accordance with Article 14 and the activities exercised by the service providers, business

Amendment

5. When a Single Market emergency has been activated in accordance with Article 14 and the activities exercised by the service providers, business

representatives and workers are not affected by the crisis in *the* Member State and safe travel is possible despite the crisis, *that* Member *State* shall not impose travel restrictions on such categories of persons from other Member States that would prevent them from having access to their place of activity or workplace.

representatives and workers are not affected by the crisis in *a* Member State and safe travel is possible despite the crisis, Member *States* shall not impose travel restrictions on such categories of persons from other Member States that would prevent them from having access to their place of activity or workplace, *provided that their health and safety can be ensured on the basis of equal treatment with persons in a comparable situation in the relevant sector of the receiving Member State.*

Amendment 97

Proposal for a regulation

Article 17 – paragraph 6 – introductory part

Text proposed by the Commission

6. When a Single Market emergency has been activated in accordance with Article 14 and exceptional circumstances resulting from the crisis do not allow all service providers, business representatives and workers from other Member States to travel and to have unhindered access to their place of activity or workplace, but travelling is still possible, Member States shall not impose travel restrictions, on:

Amendment

6. When a Single Market emergency has been activated in accordance with Article 14 and exceptional circumstances resulting from the crisis do not allow all service providers, business representatives and workers from other Member States to travel and to have unhindered access to their place of activity or workplace, but travelling is still possible, Member States shall not impose travel restrictions, on *the following categories of persons, provided that their health and safety can be ensured on the basis of equal treatment with persons in a comparable situation in the relevant sector of the receiving Member State:*

Amendment 98

Proposal for a regulation

Article 17 – paragraph 6 – point a

Text proposed by the Commission

(a) Those service providers that

Amendment

(a) Those service providers that

provide crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14(5), or business representatives or workers that are involved in production of crisis-relevant goods or provision of crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14(5) to allow them to have access to the place of their activities, if activities in the sector concerned are still allowed in the Member State;

provide crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14(5), or business representatives or workers that are involved in production of crisis-relevant goods or provision of crisis-relevant services that are listed in an implementing act adopted pursuant to Article 14(5), ***including those that are essential to the functioning of the distorted sector***, to allow them to have access to the place of their activities, if activities in the sector concerned are still allowed in the ***receiving*** Member State;

Amendment 99

Proposal for a regulation Article 17 – paragraph 7

Text proposed by the Commission

7. When taking the measures referred to in this provision, the Member States shall ensure full compliance with the Treaties and Union law. Nothing in this provision shall be construed as authorising or justifying restrictions to free movement contrary to the Treaties or other provisions of Union law.

Amendment

7. When taking the measures referred to in this provision, the Member States shall ensure full compliance with the Treaties and Union law, ***including the protection of workers, service providers and business representatives, ensuring they are able to exercise their freedom of movement under safe conditions***. Nothing in this provision shall be construed as authorising or justifying restrictions to free movement contrary to the Treaties or other provisions of Union law.

Amendment 100

Proposal for a regulation Article 18 – paragraph 1

Text proposed by the Commission

1. During the Single Market emergency mode, the Commission may provide for supportive measures to ***reinforce*** free movement of persons

Amendment

1. During the Single Market emergency mode, the Commission may provide for supportive measures to ***facilitate the*** free movement of persons

referred to in Article 17(6) and 17(7) by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 422(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).

referred to in Article 17(6) and 17(7) **and to ensure that they can exercise their freedom of movement under safe conditions** by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 422(2). On duly justified imperative grounds of urgency relating to the impacts of the crisis on the Single Market, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 42(3).

Amendment 101

Proposal for a regulation Article 18 – paragraph 2

Text proposed by the Commission

2. During the Single Market emergency mode, where the Commission establishes that Member States have put in place templates for attesting that the individual or economic operator is a service provider that provides crisis-relevant services, a business representative or worker that is involved in production of crisis-relevant goods or provision of crisis-relevant services or a civil protection worker and it considers that the use of different templates by each Member States is an obstacle to the free movement at the time of a Single Market emergency, the Commission may issue, if it considers it necessary for supporting the free movement of such categories of persons and their equipment during the ongoing Single Market emergency, templates for attesting that they fulfil the relevant criteria for the application Article 17(6) in all Member States by means of implementing acts.

Amendment

2. During the Single Market emergency mode, where the Commission establishes that Member States have put in place templates for attesting that the individual or economic operator is a service provider that provides crisis-relevant services, a business representative or worker that is involved in production of crisis-relevant goods or provision of crisis-relevant services or a civil protection worker and it considers that the use of different templates by each Member States is an obstacle to the free movement at the time of a Single Market emergency, the Commission may issue, if it considers it necessary for supporting the free movement of such categories of persons and their equipment during the ongoing Single Market emergency, templates for attesting that they fulfil the relevant criteria for the application Article 17(6) in all Member States by means of implementing acts. ***To facilitate the use of these templates, the Commission may apply digital solutions.***

Amendment 102

Proposal for a regulation Article 19 – paragraph 1 – subparagraph 1

Text proposed by the Commission

During the Single Market emergency, Member States shall notify to the Commission any ***crisis-relevant*** draft measures restricting free movement of goods ***and*** the freedom to provide services ***as well as crisis-relevant restrictions of*** free movement of persons, including workers together with the reasons for those measures.

Amendment

During the Single Market emergency, Member States shall notify to the Commission any draft measures ***and restrictions linked to the crisis and, in particular, those*** restricting ***the*** free movement of goods, the freedom to provide services ***and the*** free movement of persons, including workers, together with the reasons for those measures ***and restrictions as well as special arrangements facilitating the free movement of mobile workers in crisis-relevant sectors, including frontier workers and cross-border workers.***

Amendment 103

Proposal for a regulation Article 19 – paragraph 2

Text proposed by the Commission

2. Member States shall provide to the Commission a statement ***of the reasons which make*** the enactment of such ***measure*** justified ***and*** proportionate, ***where those reasons have not already been made clear in the notified measure.*** Member States shall communicate to the Commission the full text of the national legislative or regulatory provisions which contain or are modified by the measure.

Amendment

2. Member States shall provide to the Commission a statement ***substantiating that*** the enactment of such ***measures or restrictions are*** justified, proportionate ***and non-discriminatory.*** Member States shall communicate to the Commission the full text of the national legislative or regulatory provisions which contain or are modified by the measure.

Amendment 104

Proposal for a regulation Article 19 – paragraph 6

Text proposed by the Commission

6. The Commission shall ensure that citizens **and businesses** are informed of the notified measures, unless **Member States request that the measures remain confidential, or** the Commission **deems** disclosure of those measures would affect the security **and public order** of the European Union or its Member States, as well as of the decisions and Member States' comments adopted in accordance with this Article.

Amendment 105

Proposal for a regulation

Article 21 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall operate national single points of contact that shall provide citizens, consumers, economic operators and workers and their representatives with the following assistance:

Amendment 106

Proposal for a regulation

Article 21 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that it is possible for citizens, consumers, economic operators and workers and their representatives to receive, at their request and via the respective single points of contact, information from the competent authorities on the way in which the

Amendment

6. The Commission shall ensure that citizens, **workers, economic operators, social partners and other affected stakeholders** are informed of the notified measures **in a clear and unambiguous matter**, unless the Commission **or the Member States deem** disclosure of those measures would affect **public policy and** the security of the European Union or its Member States, as well as of the decisions and Member States' comments adopted in accordance with this Article.

Amendment

1. Member States shall operate national single points of contact **and cooperate with social partners in this regard**, that shall provide citizens, **civil society organizations**, consumers, economic operators and workers and their representatives with the following assistance:

Amendment

2. Member States shall ensure that it is possible for citizens, consumers, **civil society organisations**, economic operators and workers and their representatives to receive, at their request and via the respective single points of contact, information from the competent authorities

respective national crisis response measures are generally interpreted and applied. Where appropriate, such information shall include a step-by-step guide. The information shall be provided in clear, understandable and intelligible language. It shall be easily accessible at a distance and by electronic means and shall be kept up to date.

on the way in which the respective national crisis response measures are generally interpreted and applied. Where appropriate, such information shall include a step-by-step guide. The information shall be provided in clear, understandable and intelligible language ***and shall be accessible to persons with disabilities***. It shall ***also*** be easily accessible at a distance and by electronic means and shall be kept up to date.

Amendment 107

Proposal for a regulation

Article 22 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Union level single point of contact shall provide citizens, consumers, economic operators, workers and their representatives with the following assistance:

Amendment

2. The Union level single point of contact shall provide citizens, ***civil society organizations***, consumers, economic operators ***and*** workers and their representatives with the following assistance:

Amendment 108

Proposal for a regulation

Article 22 – paragraph 2 – point a

Text proposed by the Commission

(a) assistance in requesting and obtaining information as regards Union level crisis response measures that are relevant to the activated Single Market emergency or which affect the exercise of the free movement of goods, services, persons and workers;

Amendment

(a) assistance in requesting and obtaining information as regards Union level ***and national*** crisis response measures that are relevant to the activated Single Market emergency or which affect the exercise of the free movement of goods, services, persons and workers;

Amendment 109

Proposal for a regulation

Article 27 – paragraph 2

Text proposed by the Commission

2. If an economic operator does not accept and prioritise priority rated orders, the Commission may, at its own initiative or at the request of 14 Member States, assess the necessity and proportionality of resorting to priority rated orders in such cases, the Commission shall give the economic operator concerned as well as any parties demonstrably affected by the potential priority rated order, the opportunity to state their position within a reasonable time limit set by the Commission in light of the circumstances of the case. In exceptional circumstances, following such an assessment, the Commission may address an implementing act to the economic operator concerned, requiring it to either accept and prioritise the priority rated orders specified in the implementing act or explain why it is not possible or appropriate for that operator to do so. The Commission's decision shall be based on objective data showing that such prioritisation is indispensable to ensure the maintenance of vital societal economic activities in the Single Market

Amendment

2. If an economic operator does not accept and prioritise priority rated orders, the Commission may, at its own initiative or at the request of 14 Member States, assess the necessity and proportionality of resorting to priority rated orders in such cases, the Commission shall give the economic operator concerned as well as any parties demonstrably affected by the potential priority rated order, ***including workers' representatives and trade unions***, the opportunity to state their position, ***following the parties' receipt of comprehensive information***, within a reasonable time limit set by the Commission in light of the circumstances of the case. In exceptional circumstances, following such an assessment, the Commission may address an implementing act to the economic operator concerned, requiring it to either accept and prioritise the priority rated orders specified in the implementing act or explain why it is not possible or appropriate for that operator to do so. The Commission's decision shall be based on objective data showing that such prioritisation is indispensable to ensure the maintenance of vital societal economic activities in the Single Market. ***Workers affected by such decision shall be consulted about the modalities and where applicable be trained and compensated in accordance with national and Union law. Occupational health and safety provisions must be respected at all times.***

Amendment 110

**Proposal for a regulation
Article 27 – paragraph 3**

Text proposed by the Commission

3. Where the economic operator to which the decision referred to in paragraph

Amendment

3. Where the economic operator to which the decision referred to in paragraph

2 is addressed accepts the requirement to accept and prioritise the orders specified in the decision, that obligation shall take precedence over any performance obligation under private or public law.

2 is addressed accepts the requirement to accept and prioritise the orders specified in the decision, that obligation shall take precedence over any performance obligation under private or public law.
When prioritising the orders specified in the decision, the economic operators shall ensure full compliance with their obligations under Union and national labour law, in particular regarding workers' rights and working conditions.

Amendment 111

Proposal for a regulation Article 33 – paragraph 2 – point c

Text proposed by the Commission

(c) aiming at accelerating permitting of crisis-relevant goods.

Amendment

(c) aiming at accelerating permitting of crisis-relevant goods, ***fully respecting applicable legislation, including health and safety provisions as well as environmental and consumer protection.***

Amendment 112

Proposal for a regulation Article 39 a (new)

Text proposed by the Commission

Amendment

Article 39a

Non regression clause

1. This Directive shall not affect Member States' prerogative to apply or to introduce laws, regulations or administrative provisions which are more favourable to workers or to encourage or permit the application of collective agreements which are more favourable to workers.

Amendment 113

Proposal for a regulation
Article 45 – title

Text proposed by the Commission

Repeal

Amendment

Amendments to Regulation (EC) 2679/98

Amendment 114

Proposal for a regulation
Article 45 – paragraph 1

Text proposed by the Commission

Council Regulation (EC) 2679/98 *is repealed with effect from [date].*

Amendment

Articles 3, 4 and 5 of Regulation (EC) 2679/98 shall cease to apply for the duration of the Single Market emergency mode.

Amendment 115

Proposal for a regulation
Article 45 – paragraph 1

Text proposed by the Commission

Amendment

2. Article 2 of Regulation (EC) 2679/98 is amended as follows: “This Regulation shall not in any way affect the exercise of fundamental rights as recognised in the Member States and at Union level, including the right or freedom to strike or to take other action covered by the specific industrial relations systems in Member States, in accordance with national law and/or practice. Nor does it affect the right to negotiate, to conclude and enforce collective agreements, or to take collective action in accordance with national law and/or practice.”

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Establishing a Single Market emergency instrument and repealing Council Regulation No (EC) 2679/98
References	COM(2022)0459 – C9-0315/2022 – 2022/0278(COD)
Committee responsible Date announced in plenary	IMCO 9.11.2022
Opinion by Date announced in plenary	EMPL 9.11.2022
Rapporteur for the opinion Date appointed	Marc Angel 17.11.2022
Discussed in committee	22.3.2023
Date adopted	28.6.2023
Result of final vote	+: 38 –: 0 0: 8
Members present for the final vote	João Albuquerque, Atidzhe Alieva-Veli, Marc Angel, Vilija Blinkevičiūtė, Milan Brglez, David Casa, Leila Chaibi, Ilan De Basso, Margarita de la Pisa Carrión, Özlem Demirel, Jarosław Duda, Lucia Ďuriš Nicholsonová, Loucas Foulas, Cindy Franssen, Chiara Gemma, Helmut Geuking, Elisabetta Gualmini, Agnes Jongerius, Irena Joveva, Radan Kanev, Katrin Langensiepen, Miriam Lexmann, Elena Lizzi, Sara Matthieu, Jörg Meuthen, Max Orville, Kira Marie Peter-Hansen, Dragoș Pîslaru, Dennis Radtke, Elżbieta Rafalska, Daniela Rondinelli, Mounir Satouri, Romana Tomc, Marianne Vind, Maria Walsh, Tomáš Zdechovský
Substitutes present for the final vote	Konstantinos Arvanitis, Marc Botenga, Antonio Maria Rinaldi, Anna Zalewska
Substitutes under Rule 209(7) present for the final vote	Clara Aguilera, Attila Ara-Kovács, Marie Dauchy, Marian-Jean Marinescu, Karen Melchior, Maite Pagazaurtundúa

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

38	+
PPE	David Casa, Jarosław Duda, Loucas Fourlas, Cindy Franssen, Helmut Geuking, Radan Kanev, Miriam Lexmann, Marian-Jean Marinescu, Dennis Radtke, Romana Tomc, Maria Walsh, Tomáš Zdechovský
Renew	Atidzhe Alieva-Veli, Lucia Ďuriš Nicholsonová, Irena Joveva, Karen Melchior, Max Orville, Maite Pagazaurtundúa, Dragoș Pîslaru
S&D	Clara Aguilera, João Albuquerque, Marc Angel, Attila Ara-Kovács, Vilija Blinkevičiūtė, Milan Brglez, Ilan De Basso, Elisabetta Gualmini, Agnes Jongerius, Daniela Rondinelli, Marianne Vind
The Left	Konstantinos Arvanitis, Marc Botenga, Leila Chaibi, Özlem Demirel
Verts/ALE	Katrin Langensiepen, Sara Matthieu, Kira Marie Peter-Hansen, Mounir Satouri

0	-

8	0
ECR	Chiara Gemma, Margarita de la Pisa Carrión, Elżbieta Rafalska, Anna Zalewska
ID	Marie Dauchy, Elena Lizzi, Antonio Maria Rinaldi
NI	Jörg Meuthen

Key to symbols:

+ : in favour

- : against

0 : abstention