



DIRECTORATE GENERAL INTERNAL POLICIES OF THE UNION
Committee on the Internal Market and Consumer Protection
- Secretariat -

IMCO-06-0352
Brussels, 23 October 2006

FEEDBACK NOTE

IMCO Committee Meeting of 23 October 2006

The Committee on Internal Market and Consumer Protection (IMCO) *inter alia*

) voted the **Second Reading** Recommendation on **Services** in the Internal Market, **approving the Common Position without amendment**, with 26 votes in favour, 4 votes against and 6 abstentions.

Second Reading:

Services in the Internal Market - Rapporteur: E. Gebhardt

Both Commissioner McCREEVY and the President of COREPER I, Mrs Nina VASKUNLAHTI, were present at the Committee meeting and made statements prior to the vote.

The Commissioner indicated his willingness to make declarations covering the issues underlying many of the rapporteur's amendments (the nature of the analyses and orientations the Commission must provide following the screening of national legislation; need to consider further harmonisation; neutrality of the Services Directives as regards Labour Law and Criminal Law, and the exclusion from the Directive of social services relating to social housing, childcare and support of families and persons in need) and to do this in the context of his intervention in Plenary in the November session, so that they would be included in the minutes.

The Presidency representative committed the Presidency to do all in its power to "encourage" the Member States to "be constructive" in relation to the proposal from Commissioner McCREEVY to make clarificatory declarations for the minutes.

The vote was preceded by a formal protest from the ALDE Group Coordinator at the lack of transparency of negotiations held by the 'High-Level Group' (composed of EPP-ED and PES members). He wished his complaint to be recorded in the minutes and said it was difficult to criticise China if such were the nature of democratic proceedings in the EU.

In statements from the Groups before the vote, the PSE emphasised the importance of what Parliament had achieved, the EPP-ED the fact that not tabling amendments to the Common Position was a sign of Parliament's political maturity, while the V/ALE took the opposite view - that Parliament had abandoned its prerogatives in Second Reading for no good reason. ALDE stressed the achievement for Parliament, a view echoed by GUE/NGL, although they did not approve the content of the proposal.

In the vote **all** of the 43 amendments tabled (and not withdrawn) were rejected or deemed inadmissible (the case for four amendments tabled by Mr Bonde, whose Group was not represented), most of them by a margin of 16 votes in favour and 20 against.

Mrs Gebhardt, given the floor before the final vote, stated that she would vote in favour of the draft recommendation on the understanding that the Commission would make clarificatory declarations, and provided these were satisfactory, would also support the Common Position in Plenary.

In the final vote, the draft Recommendation was adopted by a wide margin, 26-4-6, with a number of PSE members abstaining, although not the rapporteur.

After the vote, Mr Jonckheer, speaking for the Green Group, asked the Commissioner to clarify the legal scope of the declarations he had referred to. The Commissioner declined to answer and the Chair said she would put the question to the Jurisconsult, since the Legal Service had already done some considerable work on this question in the past. She proposed, further, that the issue could be discussed at an early meeting of the Committee.

IMCO Secretariat

cc: Mr Julian Priestley Secretary General
Mrs Christine Verger, Cabinet of the President
Mr Marco Aguiriano, Cabinet of the President
Mr Stephen Clark, Secretary General's Cabinet
Ms Daniela Senk, Cabinet of the President
Mr Klaus Welle, Director-General, DG Internal Policies
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A + B IMCO