



HEADLINES

EU/ Social Affairs: Working Time Proposal Unveiled

On 22 September the Commission published its proposal to reform the EU legislative framework on working hours. The three main aspects of the 12-page proposal are as follows:

Firstly, whilst the individual opt-out from the 48 hour week would remain possible, new requirements would make its use more complicated. Employers would not be able to obtain this consent at the time of signing the employment contract, and the employee would be free to withdraw their consent at any moment.

Secondly, the proposal gives a key role to unions, since individual opt-out would have to be negotiated by collective agreement or by agreements between the two sides of industry within a sector or workplace. An individual would only be able to agree to opt out with his employer directly when, under national legislation or practice, collective bargaining cannot be used to negotiate agreements on working time.

In the same way, Member States would be given the possibility to extend the reference period for calculating the 48-hour maximum working week from 4 months to a year, provided they consult the two sides of industry.

Thirdly, under the new proposal, time spent on call that is not worked would not be counted as working time, with compensatory rest granted within 72 hours. A new category of on-call time would be created, the "inactive" part of on-call time. This is the time the worker, although available for work at his place of employment, does not carry out his duties. This will not be counted as working time, unless otherwise stipulated by national law or collective agreement.

The proposal follows a two-stage consultation process undertaken by the Commission, which culminated in the European level representatives of employers and workers indicating that they were unable to enter into negotiations on this issue. The proposal, which has been sent to the Council and Parliament for agreement, will be discussed at the next Employment Committee meeting on 6 October.

Commission Press Release:

<http://europa.eu.int/rapid/pressReleasesAction.do?reference=IP/04/1129&format=HTML&aged=0&language=EN&guiLanguage=en>

Frequently asked questions about working time:

<http://europa.eu.int/rapid/pressReleasesAction.do?reference=MEMO/04/219&format=HTML&aged=0&language=EN&guiLanguage=en>

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EU/ Competitiveness: Better regulation and implementation

The Competitiveness Council of 24th September held an exchange of views on better regulation and simplification, and on the state of implementation of Internal Market legislation.

The Council welcomed progress made towards identifying a list of legislative areas which offer the greatest scope for simplification, a list that the Dutch Presidency aims to present at the Competitiveness Council in November. According to the conclusions adopted on 17/18 May 2004, the

Competitiveness Council committed itself to agree on a list a target areas for simplification by the end of 2004.

Taking note of the Commission's 2004 Scoreboard on the implementation of Internal Market legislation, and following a debate, the Competitiveness Council recognised the need to intensify the efforts by the Member States to reduce the internal market transposition deficit to 1.5% or below (instead of 2.2% for EU-15), as requested by the Stockholm European Council of March 2001. Member States were encouraged to examine which are the main obstacles to transposition of EU law, as well as to continue their work on the basis of best transposition practices. A High Level Group within the Council will present an update on Member States actions at the next Competitiveness Council in November 2004.

For more information, see:

<http://europa.eu.int/rapid/pressReleasesAction.do?reference=MEMO/04/225&format=HTML&aged=0&language=EN&guiLanguage=en>

EU / Internal Market : Proposal on Services Directive discussed in Employment Committee

The Employment and Social Affairs committee of the European Parliament held an exchange of views on 20 September on the proposed Directive on Services in the Internal Market.

Anne Van Lancker (Netherlands, Socialist), rapporteur for the opinion in the Employment and Social Affairs committee commented on the scope of the directive, as activities covered by sectoral directives would not be covered by the proposed directive. She also addressed the issue of country of origin and potential problems with the detachment of workers, the interim sector, and the application of the directive to the health sector.

Other potential difficulties were tackled by Roselyne Bachelot (French, EPP-ED) such the potential super-imposition of various texts, the inclusion of health and media services in the scope of the directive, and the suppression of the preliminary authorisation for the detachment of workers. Philip Bushill Matthews (UK, EPP-ED) spoke in favour of the text, and said it will remove obstacles and increase consumer and operator confidence.

A parliamentary hearing will be organised jointly with the lead Committee rapporteur, Evelyne Gebhardt (German, Socialist) in November.

Read more:

<http://europa.eu.int/rapid/pressReleasesAction.do?reference=IP/04/37&format=HTML&aged=0&language=EN&guiLanguage=en>

IN BRIEF

EU/ Dutch Presidency : Environment Priorities explained to MEPs

On Monday 20th September, the Committee of the Environment, Public Health and Food Safety held an exchange of views with the Dutch Secretary of State for Housing, Spatial Planning and the Environment, Mr Pieter van Geel, who spelled out his priorities for the next three months. Following the slogan “environment as an opportunity”, the Dutch Presidency will aim to apply eco-efficiency and innovative, environmentally-friendly solutions to a wide range of issues, including sustainable transport and chemicals. Regarding climate change, Mr Van Geel would like Member States to focus on meeting their commitments by 2010, in order to enhance the EU’s credibility at international level. On REACH, the Dutch Secretary of State hopes to reveal agreements or differences on key issues such as registration, data sharing and the avoidance of unnecessary animal testing. REACH will be discussed at the Environment Council of 25-26 November.

For more information, see :

http://www.eu2004.nl/default.asp?CMS_ITEM=5782B68CB69745D280A0D756EF38A0E4X1X62936X25

EU/ Taxation : Chris Patten take stance in favour of tax competition

Reacting on recent comments made by French Finance Minister Nicolas Sarkozy about the tax regime of new EU Member States, EU external affairs Commissioner Chris Patten made a strong plea in favour of tax competition as key factor for a healthy economy. In an article in the French newspaper *Les Echos*, he observed that new entrants to the EU have been developing for many years, with our blessing, stronger, more open and liberal economies. We should therefore not be blaming them for what they have achieved. Neither shall we advise them to “forget Adam Smith and go back to state corporatism”. He added that the EU should not act as if it was a separate world, impervious to competitive pressures of the global economy.

EU / Lisbon Agenda: Better prioritisation to deliver more results

Speaking at the informal dinner of the Competitiveness Council on 23 September, Commissioner for Enterprise Oli Rehn stressed that one of new Commission’s first key priorities would be the mid-term review of the Lisbon Strategy. Mr Rehn would like to streamline the strategy and better prioritise the different objectives. Moreover, enhancing the role of the Competitiveness Council would be crucial in driving forward the Lisbon Agenda.

To read Mr Rehn’s speech, see:

<http://europa.eu.int/rapid/pressReleasesAction.do?reference=SPEECH/04/420&format=HTML&aged=0&language=EN&guiLanguage=en>

EU / Trade : EU visits China to improve industrial relation

Director-General of DG Enterprise Jean-Paul Mingasson undertook last week a five-day visit to Beijing as part of the Industrial Policy Dialogue, launched at the China summit in 2003. The Dialogue, which includes permanent consultations and annual co-operation meetings in Beijing and Brussels, is aimed at facilitating EU business access in China, promoting fair trade and ensuring a business-friendly playing field for industrial operators on both countries.

Read more :

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http://europa.eu.int/comm/enterprise/library/enterprise-europe/news-updates/2004/20040922_a.htm

CONSULTATIONS

DG Enterprise Consultation Procedures Closing Date: 30 September 2004

The European Commission Enterprise Directorate General has launched a survey on the consultation procedures between national/regional governments and the business community when new laws and policies are proposed. The aim of the survey is to identify the most effective consultation procedures and to use the feedback to improve future conduct.

<http://europa.eu.int/comm/enterprise/entrepreneurship/consultation/index.htm>

DG Employment European Works Council Directive Closing Date: Not Announced

The European Commission is consulting workers' and employers' representatives on how European Works Councils can best respond to the challenges of a changing economic and social environment.

http://www.europa.eu.int/comm/employment_social/news/2004/apr/ewc_consultation_en.pdf

DG Internal Market Electronic Public Procurements Closing Date: 15 October 2004

Further to the adoption of legislative package on Public Procurement in February 2004, the European Commission has launched a consultation aimed at identifying opportunities and challenges in electronic public procurement. The Commission is currently preparing an Action Plan that would help Member States to remove obstacles to electronic public procurement, and therefore needs inputs from businesses.

<http://europa.eu.int/rapid/pressReleasesAction.do?reference=IP/04/1095&format=HTML&aged=0&language=EN&guiLanguage=en>

DG Research Future of EU research Policy Closing date: 15 October 2004

Further to the publication of proposals to guide future European policy to support research, ("Science and Technology: the key to the future of Europe - guidelines for future European Union policy to support research) on 16 June 2004, the consultation on these proposals will be used to shape the next Community Framework Programme for Research and Technological Development, which will follow the 6th Framework Programme (2002 – 2006).

http://europa.eu.int/comm/research/future/index_en.html

DG Internal Market Copyright and Related Rights Closing Date 31 October 2004

The review is aimed at updating the legislative framework in the field of copyright and related rights, increasing its consistency and also simplifying the provisions. In addition, there is a need to analyse whether this framework still contains shortcomings which have a negative impact on the functioning of the Internal Market. In this case, additional harmonisation measures may have to be envisaged.

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In the framework of the review, the Commission is now launching a consultation of all interested parties on the basis of a working paper. The consultation aims at completing the legal analysis and allowing further assessment of the impact of possible changes.

http://www.europa.eu.int/comm/internal_market/copyright/docs/review/sec-2004-995_en.pdf

COMING UP

EU institutions : Important Dates

Sept. 27- Oct. 8	Investiture Procedure of the 2004-2009 Commission - Hearings of the Commissioners Designate
September 30	Hearing of Günther Verheugen, Commissioner designate for Enterprise
October 4	Employment, Social Policy, Health & Consumers Council of Ministers
October 14	Environment Council

Other Events

September 26-29	1 st International Small Business Conference, Warsaw (www.isbsc2004.pl)
September 28	Promoting SMEs in the EU of 25 – Exploiting the opportunities of enlargement” , Brussels. Joint conference organised by the Wirtschaftsbeirat Bayern, SME Union and Hanns-Seidel-Stiftung (www.sme-union.org)
Sept. 30 to Oct.3	“Presidents meeting” organised by JADE, the European Confederation of Junior Enterprises – (http://www.jadenet.org/index.php?a=0&b=0&c=0)
October 1	Top Class business services : a key to success for small enterprises in Europe” – Brussels - More info & registration: (http://www.english.ffcgea.fr/conference_bss/home.htm)