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Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on a public interface connected to the Internal Market Information System for the declaration of posting of workers and amending Regulation (EU) No 1024/2012

- Letter to the Chairs of the European Parliament Committees on Employment and Social Affairs and on the Internal Market and Consumer Protection

Following the Permanent Representatives Committee meeting of 30 June 2026 which endorsed the final compromise text with a view to agreement, delegations are informed that the Presidency sent the attached letter, together with its Annex, to the Chairs of the European Parliament Committees on Employment and Social Affairs and on the Internal Market and Consumer Protection.



Brussels, 30/06/2026
SGS 26 / 2469

Ms Li ANDERSSON
Chair of the Committee on Employment and Social Affairs (EMPL)
Ms Anna CAVAZZINI
Chair of the Committee on the Internal Market and Consumer Protection (IMCO)
European Parliament
Rue Wiertz 60
B-1047 BRUSSELS

Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on a public interface connected to the Internal Market Information System for the declaration of posting of workers and amending Regulation (EU) No 1024/2012

Dear Ms ANDERSSON,
Dear Ms CAVAZZINI,

Following the informal negotiations on this proposal between the representatives of the three institutions, today the Permanent Representatives Committee agreed with the final compromise text.

I am therefore now in a position to inform you that, should the European Parliament adopt its position at first reading, in accordance with Article 294(3) TFEU, in the exact form of the text set out in the Annex to this letter (subject to revision by the lawyer-linguists of the two institutions), the Council, in accordance with Article 294(4) TFEU, will approve the European Parliament's position and the act shall be adopted in the wording which corresponds to the position of the European Parliament.

On behalf of the Council, I also wish to thank you for your close cooperation which should enable us to reach agreement on this proposal at first reading.

Yours sincerely

Georgios IOANNIDES
Chairman of the
Permanent Representatives Committee

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Copy:

- Ms Roxana MÎNZATU, European Commission, Executive Vice-President for Social Rights and Skills, Quality Jobs and Preparedness
- Mr Stéphane SÉJOURNÉ, European Commission, Executive Vice-President for Prosperity and Industrial Strategy
- Mr Johan DANIELSSON, European Parliament, rapporteur
- Mr Andreas SCHWAB, European Parliament, rapporteur

2024/0301 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**on a public interface connected to the Internal Market Information System for the declaration
of posting of workers and amending Regulation (EU) No 1024/2012**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Acting in accordance with the ordinary legislative procedure,

¹ OJ C , , p. .

Whereas:

- (1) The Internal Market Information System ('IMI'), established by Regulation (EU) No 1024/2012 of the European Parliament and of the Council², should be used as much as possible for the administrative cooperation and mutual assistance, including between the competent authorities of the Member States provided for in Directives 2014/67/EU³ and 96/71/EC⁴ of the European Parliament and of the Council, concerning the posting of workers in the framework of the provision of services. In accordance with Directive 2014/67/EU, in particular its Article 6, Member States are to work in close cooperation and provide each other with mutual assistance without undue delay in order to facilitate the implementation, application and enforcement in practice of that Directive and Directive 96/71/EC.
- (2) Directive 2014/67/EU aims to ~~facilitate the exercise of the freedom to provide services and the functioning of the internal market, as well as to guarantee respect for~~ an appropriate level of protection of the rights of posted workers for the cross-border provision of services, in particular ~~as regards~~ the enforcement of the terms and conditions of employment that apply in the Member State where the service is to be provided in accordance with Article 3 of Directive 96/71/EC, ***while facilitating the exercise of the freedom to provide services for service providers and promoting fair competition between service providers, and thus supporting the functioning of the internal market.***

² Regulation (EU) No 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC ('the IMI Regulation') (OJ L 316, 14.11.2012, p. 1, ELI: <http://data.europa.eu/eli/reg/2012/1024/oj>).

³ Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation') (OJ L 159, 28.5.2014, p. 11, ELI: <http://data.europa.eu/eli/dir/2014/67/oj>).

⁴ Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJ L 18, 21.1.1997, p. 1, ELI: <http://data.europa.eu/eli/dir/1996/71/oj>).

According to Article 9(1) of Directive 2014/67/EU, Member States may only impose administrative requirements and control measures ~~in so far~~ as necessary in order to ensure effective monitoring of compliance with the obligations set out in that Directive and in Directive 96/71/EC and provided that these are justified and proportionate in accordance with Union law. Where this is the case, Article 9(1)(a) of Directive 2014/67/EU allows Member States to impose an obligation for a service provider established in another Member State to make a simple declaration to the responsible national competent authorities ***containing the relevant information necessary*** in order to allow factual controls at the workplace. It remains the responsibility of Member States to decide, within the limits of justification and proportionality, in which cases to demand a posting declaration and what information this declaration must contain. ***Article 9(1) (b) allows Member States to impose an obligation for a service provider to keep or make available and/or retain copies, in paper or electronic form, of employment related documents during the period of posting in an accessible and clearly identified place in its territory. Article 9(1)(c) allows to impose an obligation for a service provider to deliver these documents after the period of posting at the request of the authorities of the host Member State, within a reasonable period of time. Article 9(1)(d) allows Member States to impose an obligation for a service provider to provide a translation of these documents into (one of) the official language(s) accepted by the host Member State. It remains the responsibility of Member States to decide, within the limits of justification and proportionality, whether to introduce any requirements in relation to relevant documents to be made available.***

- (3) All Member States have used the possibility to impose a declaration obligation for service providers posting workers to their Member State, with national systems differing significantly in design, requirements and functionality. ***While the posting declaration obligations vary significantly per Member State***, complying with these diverging systems creates a considerable administrative burden for the service providers posting workers ***in particular SMEs, and hinders the freedom to provide services and the free movement of workers within the internal market***. Stakeholders, ***in particular service providers*** have consistently highlighted that the declaration for the posting of workers constitutes a significant reporting obligation and is among the most important administrative ~~barriers~~***obstacles*** for the cross-border provision of services in the internal market.
- (4) Reporting requirements play a key role in ensuring proper monitoring and correct enforcement of legislation. ~~However, it is important to streamline those requirements, in order to ensure that they fulfil the purpose for which they were intended and to limit the administrative burden,~~ ***while also allowing for better data collection and cross-border exchange of information, thereby also enabling more targeted inspections and evidence-based policy-making***. The reporting ~~obligations~~***systems*** and requirements in the submission of posting declarations to the competent authorities of the host Member State, established in accordance with Article 9(1) of Directive 2014/67/EU should therefore be simplified, ***without prejudice to the adequate protection of posted workers provided for in Directive 96/71/EC and its enforcement under Directive 2014/67/EU***, in line with the Commission’s Communication on ‘Long-term competitiveness of the EU: looking beyond 2030’⁵, in order to significantly reduce the administrative burden for service providers established in other Member States and posting workers to the host Member States as well as for national competent authorities, ***while ensuring that Member States are equipped with the information necessary for effective monitoring and enforcement of administrative requirements and control measures referred to in Article 9(1), point (a), of Directive 2014/67/EU***.

⁵ COM(2023) 168 final.

- (5) ~~Reducing the~~**Simplifying** administrative ~~burden~~**requirements** for service providers and national competent authorities must ~~concur with the respect for~~**be achieved while respecting** adequate working conditions and social protection for posted workers **and their enforcement**. Facilitating the effective monitoring of ~~compliance by Member States of~~**compliance with EU legislation aimed at ensuring the protection of posted workers' rights** and reinforcing mutual administrative cooperation improves the protection of workers' rights **and the fight against abusive practices and undeclared work which undermine workers' fundamental rights as well as distort competition to the detriment of compliant service providers**.
- (6) In accordance with Article 12 of Regulation (EU) No 1024/2012 technical means may be provided to allow external actors to interact with IMI. Such an interaction should be facilitated by a multilingual electronic public interface connected to IMI ('the public interface') through which service providers should submit posting declarations to the Member States making use of the public interface (~~participating~~**instead of their own posting declaration in accordance with Article 9(1)(a) of Directive 2014/67/EU and national law**. Member States²) **could in addition require service providers to make available relevant documents in the public interface instead of their own procedures to request and obtain these relevant documents. Documents requested and obtained in IMI through the public interface should not be requested again in any other way**. These Member States ~~should then, if necessary,~~**could then** use the information **and documents** received through IMI to make reasoned requests **to other Member States and reply to reasoned requests from other Member States** in the IMI posting modules in accordance with the obligation to provide mutual administrative cooperation and assistance referred to in Articles 6 and 7 of Directive 2014/67/EU.

- (7) *Given the increase in the number of posted workers within the Union, a simplification of the process of sending and updating posting declarations **and of making available relevant documents** resulting from the creation of such a public interface should ~~reduce~~ **aims at simplifying** administrative ~~barriers to~~ **requirements, thereby facilitating** the freedom to provide services, ~~including to the right of undertakings to provide services in another Member State with their own~~ **and at the same time allowing for stronger protection of posted workers during their posting.***
- (7a) *Although Member States are not required to provide for the use of the public interface set up by this Regulation and may continue to use their own posting declaration, the envisaged uptake by Member States contributes to the approximation of the procedure and of the requirements for the declaration of posting of workers in the Member States which make use of the public interface. The public interface as the single declaration portal and the standard form establish similar conditions for posting declarations in the Member States which make use of the public interface. This Regulation therefore aims at facilitating the free provision of services by proceeding to a partial harmonisation as regards the procedure and requirements for the declaration of posting of workers set out in Directive 2014/67/EU. By providing for more harmonised conditions, this Regulation will reduce the current fragmentation between the Member States deciding to make use of the public interface.*
- (7b) *A single system for declaring posted workers, which is used by as many Member States as possible, is a long-term objective to be envisaged in order to enhance efficiency and the protection of posted workers and to ensure the efficient functioning of the internal market. Low entry barriers for Member States' into the proposed system, a well-functioning interface and good integration into Member States national back-end systems, will be key to increase take-up of the multilingual public interface by Member States.*

- (8) The simplification of the process of sending and updating posting declarations ~~should facilitate~~, ***including transparent logging of user activity aims at facilitating*** a better and more uniform ***and effective*** application of Directive 96/71/EC as well as its enforcement in practice, ***by improving the collection, cross-referencing and comparability of data via a standard form established by this Regulation and*** reducing the cases on non-compliance with the posting rules due to the different procedures for submitting the posting declarations. It ~~will facilitate~~ ***aims at facilitating*** carrying out of effective and adequate inspections by the Member States, contributing to the protection of posted workers' rights.
- (9) A simplification of the process of sending and updating posting declarations should reduce the administrative burden ***and obstacles to cross-border enforcement*** of national competent authorities seeking mutual assistance from other Member States ***and improve data collection in order to enable evidence-based policy making***. To ensure that the responsible national competent authorities can provide each other with mutual assistance without undue delay and to simplify requests for mutual assistance, information submitted in posting declarations should be made available directly in IMI, thus facilitating the application in practice of Directive 2014/67/EU and Directive 96/71/EC and supporting the related administrative cooperation between the national competent authorities in the Member States contributing to ***more effective enforcement and*** the proper functioning of the internal market.
- (9a) ***Pursuant to Article 1(4) of Directive 96/71/EC Member States should not give more favourable treatment to undertakings established in a non-member State than to undertakings established in a Member State. To support Member States in meeting this obligation, and in achieving the objectives of the public interface, it should be available additionally for declarations by service providers established in a non-member State that send workers to a Member State to provide services. This would facilitate ensuring adequate working conditions for workers and promoting fair competition between service providers.***

This would also support mutual assistance between Member States' national competent authorities, in cases where, in accordance with Regulation (EU) No 1024/2012, information is requested from other Member States' national competent authorities about the workers sent by the third country service provider. The public interface will be made available for such declarations upon a request by the Member State to whose territory the worker is sent. Member States should make such a request only if this is necessary to comply with the legal obligations of those service providers in the legislation of that Member State.

- (10) The Commission should set up a public interface for voluntary use by Member States. Member States may choose to require service providers to use the electronic public interface to make a posting declaration to its responsible national competent authorities **and to upload and submit documents at the request of their competent authorities, as a means, in order to comply with justified and proportionate** the obligations imposed by these Member States to declare posting of workers. ~~This public interface should support Member States in their task to ensure that the procedures and formalities relating to the posting of workers can be completed in a user-friendly way by undertakings, at a distance and by electronic means, facilitating the submission of posting declarations where required.~~ **in accordance with Article 9(1) of Directive 2014/67/EU and make available documents in accordance with Article 9(1)(b), (c) and (d) of Directive 2014/67/EU and to allow for factual controls in the workplace.**
- (10a) ***This public interface should support Member States in their task to ensure that the procedures and formalities relating to the posting of workers can be completed in a user-friendly way by undertakings, at a distance and by electronic means, facilitating the submission of posting declarations and documents where required. However, the submission of documents by the competent authorities should be requested only after the posting period has started. The public interface should allow for the submission of motivated notifications to enable service providers to extend the posting period from 12 months to 18 months in accordance with Article 3 (1a) of Directive 96/71/EC.***

- (10b)** *The public interface should allow for the technical validation of the data in the posting declarations to ensure the plausibility and technical accuracy of the information provided and the format of the data. Where feasible, such validation could be carried out by allowing for cross-referencing of information against relevant Union registries, such as the VAT Information Exchange System (VIES). User action in the public interface should be recorded and logged in order to ensure transparency of modifications made to posting declarations and allow for the reuse of data by service providers.*
- (10c)** *To inform a worker about the submission of a posting declaration concerning that worker, the public interface should be able, where provided for and requested by the host Member State, to transmit to the posted worker an extract of the relevant posting declaration containing data that is only relevant for that worker, in a retainable and permanent format.*
- (10e)** *Host Member States may request to additionally receive posting declarations, and where applicable, submitted documents, directly in the national back-end system. The Member State of establishment, where using the public interface for posting declarations, may request to receive information submitted in the posting declarations to the host Member State, in the national back-end system. In those cases Commission and Member States should cooperate on technical issues.*
- (10f)** *The public interface offers potential to disseminate information provided by Member States in accordance with Article 5(2), point (a), of Directive 2014/67/EU. The public interface should make available a link to the single official national posting website, which provides information on the applicable terms and conditions of employment, including the information related to the posting declaration and any relevant exemptions. This information is of particular importance to SMEs. The public interface should also, where applicable, make available links to the relevant websites of Member States for the submission of a motivated notification in accordance with Directive 96/71/EC. The links to the single official national posting websites as well as to the websites for motivated notifications, should be provided to the Commission by Member States.*

- (10g) *The setting up of the public interface should have no impact on Member States deciding not to use the public interface and to continue to use their national posting declaration in accordance with Article 9(1)(a) of Directive 2014/67/EU. All Member States will continue to use IMI for the administrative cooperation and mutual assistance between the competent authorities of the Member States provided for in Directives 2014/67/EU and 96/71/EC and points 6 and 7 of the Annex to Regulation 1024/2012.***
- (11) Interoperable and reusable solutions, such as those provided for in Regulation (EU) No 910/2014 as regards establishing the European Digital Identity Framework⁶, *or by other Union law on the digital identity for economic operators*, should be ~~used~~**taken into consideration** as they can facilitate how service providers identify themselves. ~~Once available, workers should be able to receive notifications about posting declarations concerning them via the European Digital Identity Wallet⁷.~~**
- (11a) *Currently, the posting of workers and social security coordination follow different procedures. Undertakings are required to use different portals to submit posting declarations and apply for a portable document A1. The Commission should continue to explore the possibility for the posting declaration under Directive 2014/67/EU and the application for portable document A1 to be brought closer together technically into one interface in the future, including by exploring synergies in terms of data reusability.***

⁶ Regulation (EU) No 910/2014 as regards establishing of the European Digital Identity Framework (OJ L, 2024/1183, 30.4.2024, ELI: <http://data.europa.eu/eli/reg/2024/1183/oj>); **Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).**

⁷ Regulation (EU) No 910/2014 as regards establishing the European Digital Identity Framework (OJ L, 2024/1183, 30.4.2024, ELI: <http://data.europa.eu/eli/reg/2024/1183/oj>).

- (12) The public interface connected to IMI is a technical means made available by the European Commission for voluntary use by Member States. ***While there is no obligation on Member States to impose any of the measures in Article 9(1) (a), (b), (c) or (d) of Directive 2014/67/EU on the service provider, Member States may decide to use the public interface for the posting declarations and in addition also for the submission of documents.*** Before requiring service providers to declare the ~~relevant information~~ ***posting of workers and to submit documents*** by way of that interface, Member States should ensure that such a ~~requirement is~~ ***requirements are*** provided for in national law, in line with Union law. In order to ensure a frictionless use of the public interface Member States should communicate to the Commission their interest in making use of the multilingual electronic public interface ***for posting declarations, and where applicable, also for submission of documents,*** at any time from the date of entry into force of this Regulation. ***Member States should be allowed to discontinue making use of the public interface, provided that they inform the Commission of such intention in a timely manner to ensure a frictionless use of the public interface and legal certainty for service providers.***
- (13) The Commission, in line with the UN Convention on the Rights of Persons with Disabilities to which the Union and all Member States are parties, should ensure accessibility for persons with disabilities of the public interface and its content taking into account to the extent relevant the accessibility requirements as set out in Annex I of Directive (EU) 2019/882⁸ ***and a level of web accessibility equivalent to the level set out for web-based applications of public sector bodies in Directive (EU) 2016/2102⁹.***

⁸ Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70, ELI: <http://data.europa.eu/eli/dir/2019/882/oj>).

⁹ ***Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (OJ L 327, 2.12.2016, pp. 1–15) ELI: <http://data.europa.eu/eli/dir/2016/2102/oj>***

- (14) Service providers should be able to submit a posting declaration **and to make available relevant documents** to the national competent authorities of a ~~participating~~ Member State **making use of the public interface and** to which a worker is posted, i.e. the host Member State, using a **user-friendly** multilingual ~~standard form of that public interface, including the standard form. It should also include clear guidance and support features to help service providers complete the declaration efficiently and correctly.~~
- (14a) **The translation facility in IMI should allow the national competent authorities to translate the documents from and into any of the official languages of the Union institutions. This should remove the need for an obligation on the service provider to provide a translation of those documents.**
- (15) The Commission received input from the expert group on a common electronic form for the declaration of posting of workers on the national declaration requirements and systems as well as on the relevant information necessary to allow factual controls at the workplace. The Commission has received advice from the expert group concerning the information requirements that it would consider to be appropriate to include in a common form for the declaration of posting of workers. Taking into account this advice, **the applicable Union law and the national measures transposing Directive 2014/67/EU**, and in order to allow for the provision of ~~the~~ information that may be necessary to allow factual controls at the workplace, ~~the~~ **standard form used by the multilingual electronic public interface** should consist of information related to the service provider, the posted worker, the posting assignment, the contact ~~person~~ **persons** for competent authorities **and social partners**, and the service recipient. ~~The standard form~~ **public interface** should be available in all EU languages **allow for Member States, to limit the obligation to submit a posting declaration to certain economic sectors or activities or to exempt certain economic sectors or activities from this obligation.** Member States ~~may decide that certain elements contained in the standard form, that they do not consider relevant in view of their national context and the way they organise the factual controls at the workplace, are not required from service providers posting workers to their territory filling in the form on the electronic public interface.~~ **should inform the Commission thereof.**

- (15a) The standard form should be available in all EU languages. A Member State may decide that certain elements contained in the standard form, that it does not consider relevant in view of its national context and the way it organises the factual controls at the workplace, are not required from service providers posting workers to its territory filling in the form on the electronic public interface. It should inform the Commission thereof.*
- (15b) Taking into account the specific circumstances of the Member States, information on the service provider and the service recipient, including a legal representative or other person representing the undertaking in administrative and legal proceedings, for example CEO, Board Member or voluntarily chosen legal counsel, and on the identity and contact details of the service recipient may facilitate the identification of cases of circumvention and abuse of posting rules and undeclared work in the context of posting of workers. For the construction sector, the standard form should include an information requirement to indicate registration in relevant national registers of the host Member State, where applicable. Member States should only require such information where those registration requirements are compliant with Union law and in particular with Articles 49 and 56 of the TFEU and Directive 2006/123/EC. The inclusion of such information in the standard form is in any event without prejudice to the compliance of the relevant registration requirement with Union law.*

For postings by a temporary employment undertaking or placement agency in case of a double or chain posting, the standard form should allow to identify each undertaking involved in the double or chain posting. Information on a legal representative or other person representing these undertakings in administrative and legal proceedings may also facilitate monitoring compliance.

The standard form should include an information requirement related to the authorisation to carry out temporary employment undertaking or placement agency activities in the country of establishment as well as an information requirement on the justification for the use of a temporary employment undertaking or placement agency in line with national law of the host Member State, provided such national law does not constitute obstacles to the freedom to provide services in accordance with Article 56 of the TFEU and Directive 2006/123/EC, and are compatible with Directive 2008/104/EC.

Member States may, by means of the standard form, request information about the indicative working periods of the posted worker where this information is needed to anticipate when the worker would normally be expected to be available at the workplace in order to monitor his/her terms and conditions of employment.

(15c) In accordance with Article 10 of Directive 2014/67/EU, inspections need to be based primarily on risk assessment. In this regard, Member States may, by means of the standard form, request information related to an indicative level of the hourly rate of pay where this information is necessary for carrying out risk assessments. Member States requesting this information in the posting declaration should ensure that information on the applicable minimum hourly rate of pay is easily accessible as part of information on remuneration published on their single official national posting websites in accordance with Article 5(1) and (4) of Directive 2014/67/EU and fourth subparagraph of Article 3(1) of Directive 96/71/EC.

- (16) In respect of the establishment of, ~~and subsequent changes to,~~ **and amendments to** the standard form, **reflecting the information requirements set out in the Annex**, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹⁰. ~~Member States considering that certain information should be added to or removed from the standard form, or that the standard form should otherwise be modified, should be allowed to request the Commission to amend the standard form accordingly.~~
- (17) The use of the public interface, with its standard form, consisting of a common and exhaustive set of relevant information that may be necessary for factual controls at the workplace, will ~~reduce~~ **simplify administrative requirements and** the divergencies in the applicable rules and regulations of the Member States. It should be sufficient for service providers to comply with the **posting** declaration obligations in Member States making use of the public interface. **For the purpose of the posting declaration**, there should be no additional information requirements imposed at national level in these Member States. ~~The setting up of the public interface connected to IMI with its standard form and the making available of this interface to national competent authorities is instrumental and ancillary~~ **This is without prejudice to the approximation of the legislation of the possibility for Member States, ensuring the functioning of the internal market' enforcement authorities or other bodies to request further information and documents and to impose other administrative requirements to ensure effective monitoring of compliance with EU legislation on posting of workers in accordance with Article 9 of Directive 2014/67/EU.**

¹⁰ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: <http://data.europa.eu/eli/reg/2011/182/oj>).

- (18) ~~The establishment of a public interface provides a streamlined framework for posting declarations that offers significant incentives for Member States to participate. It aligns with Member States' own interest in enhancing administrative cooperation, simplifying administrative procedures, and protecting workers' rights. When the public interface will be established and will show its usefulness and benefits, all Member States should consider making use of the public interface. The more Member States were to make use of the public interface, the higher would be the reduction of administrative burden for service providers and national competent authorities, and the larger the scope for effective administrative cooperation for protecting workers' rights.~~
- (19) ~~In order to allow factual controls at the workplace the relevant information to be provided in the declaration of posting of workers may include amongst the information requirements established in the context of Article 9(1)(a) of Directive 2014/67/EU~~ ***The standard form and the documents submitted by the service provider may contain*** certain personal data. Processing of personal data ***in the public interface*** should be carried out in accordance with Union law on the protection of personal data laid down in Regulations (EU) 2016/679¹¹ and (EU) 2018/1725¹² of the European Parliament and of the Council. ***For that purpose categories of personal data that may be processed should be defined in this Regulation.*** In order to clarify the responsibility for the processing of personal data submitted through the public interface, this Regulation should indicate who is to be regarded as the controller of the personal data. Regulation (EU) No 1024/2012 applies to the processing of personal data of the competent authorities in IMI.

¹¹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/679/oj>).

¹² Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>).

- (20) The information from the posting declarations ***and submitted documents including personal data*** should be kept in the public interface for the purpose of reusing it in subsequent posting declarations for a maximum period of 36 months after the end date of the posting period. ***The information and documents made available in IMI for the purpose of administrative cooperation are accessible to the competent authorities in accordance with Article 14(24) of Regulation 1024/2012. The information may be kept in national back-end systems for a longer period, in accordance with Regulation (EU) 2016/679 and national law and practices.***
- (21) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on ~~5 September 2024~~ ***8 January 2025.***
- (22) ~~Where~~***In many Member States, social partners and other entities and organisations, including local, regional and national authorities in the context of public procurement play a role in the monitoring of compliance with posting rules. In accordance with national law and practice, for the purpose of checking compliance with posting rules, including applicable collective agreements, national competent authorities should therefore be allowed to provide make available to national social partners, and other bodies acting on their behalf, as well as to other actors with an enforcement function, with the relevant information which has been shared via IMI, for the sole purpose of checking compliance with posting rules while respecting Regulation (EU) 2016/679. The relevant information should be provided to social partners these actors by other means than IMI.***
- (22a) ***The data submitted through the public interface carries an important potential to improve the accuracy of posting statistics and cross-border risks analysis of related to posting patterns in the internal market. For the purpose of, and to the extent necessary for, exercising its tasks to coordinate and support concerted and joint inspections and to carry out analyses and risk assessments, aggregated statistical data based on posting declarations in the public interface should thus be made available to the European Labour Authority (ELA).***

- (23) The ~~European Labour Authority~~ ('~~ELA~~')**ELA** should support Member States' national competent authorities, and service providers, *in particular SMEs*, in the implementation and use of the public interface in accordance with its mandate under Regulation (EU) 2019/1149¹³.
- (23a) *The Commission should continue to be assisted by the expert group on a common electronic form for the declaration of posting of workers and should regularly monitor the functioning of the public interface also based on feedback from service providers and competent national authorities.*
- (24) This regulation should be without prejudice to Directive 2014/67/EU and Directive 96/71/EC. *It should also be without prejudice to Union legislation that lays down specific rules on the use of a public interface connected to IMI for declarations of posting of certain categories of workers, such as Directive (EU) 2020/1057.*

HAVE ADOPTED THIS REGULATION:

¹³ Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority, amending Regulations (EC) No 883/2004, (EU) No 492/2011, and (EU) 2016/589 and repealing Decision (EU) 2016/344 (Text with relevance for the EEA and for Switzerland) (OJ L 186, 11.7.2019, p. 21, ELI: <http://data.europa.eu/eli/reg/2019/1149/oj>)

Article 1

Public interface connected to the Internal Market Information System

1. In order to contribute to the proper functioning of the internal market by reducing administrative ~~barriers~~ **obstacles** to the freedom to provide services **and by simplifying administrative requirements**, while ~~facilitating~~ **improving** the effective monitoring by Member States of compliance with ~~EU legislation~~ **and enforcement of Union law** aimed at ensuring the protection of posted workers' rights, ~~and supporting~~ **strengthening** the related administrative cooperation between the national competent authorities in the Member States **within the meaning of Article 3 of Directive 2014/67/EU ("competent authorities")**, **and enhancing data collection on the posting of workers**, the Commission shall set up a multilingual public interface connected to the Internal Market Information System ('IMI'), established by Regulation (EU) No 1024/2012, for the declaration of posting of workers **and, where applicable, for making available relevant documents** ('the public interface'). **The public interface shall be made available by the Commission to the service providers free of charge.**
2. Member States may ~~opt~~ **decide** to make use of ~~this~~ **the** public interface **referred to in paragraph 1.**
3. The legislation of a Member State may provide for service providers to declare posting of workers, in accordance with Article 9(1) of Directive 2014/67/EU, by submitting **at the latest at the commencement of the service provision** a declaration based on a multilingual standard form through the public interface. ~~Where~~ **The legislation of** a Member State ~~provides for the use of~~ **may additionally provide for service providers to make available copies of relevant documents necessary for checks and monitoring purposes in accordance with Article 9(1) (b), (c) and (d) of Directive 2014/67/EU, upon a request by the responsible national competent authority, by submitting these documents within a reasonable period of time in** the public interface, ~~that declaration shall replace any pre-existing one required under national law.~~

- 3a. *Member States deciding to make use of the public interface in accordance with paragraphs 1 and 2 of this Article, shall replace any pre-existing posting declaration required under national law and requirements to make or keep available documents if these documents have been requested and obtained in IMI through the public interface.*

Article 2

Functionalities of the public interface

1. The public interface shall *be available in all the official languages of the Union and shall provide functionality for:*
- (a) creating an account for secure access to the service provider's reserved area, *including storing of data for reuse;*
 - (b) ensuring appropriate *and transparent* logging of *any* user activity, *including modifications made to posting declarations;*
 - (c) creating, submitting and managing *posting* declarations, *including the technical validation of the data, as well as the storing of the data for reuse* ~~of posted workers;~~
 - (d) transmitting ~~a copy~~ *electronically an extract* of the posting declaration *in a retainable and permanent format* to the posted worker *containing data that is only relevant for that worker together with a link to the single official national website referred to in Article 5(2), point (a), of Directive 2014/67/EU;*
 - (db) *allowing for uploading and submission of relevant documents listed in Article 9 (1) (b) of Directive 2014/67/EU, provided that the related posting declaration has been submitted in the public interface;*

- (e) making submitted information available in IMI to the responsible national competent authorities of **both** the host Member State **and the Member State of establishment of the service provider, for monitoring the compliance with EU legislation aimed at ensuring the protection of posted workers' rights, and** for administrative cooperation pursuant to points 6 and 7 of the Annex to Regulation (EU) No 1024/2012-;
- (ea) ***making uploaded documents available in IMI to the responsible national competent authorities of the host Member State for monitoring the compliance with EU legislation aimed at ensuring the protection of posted workers' rights, and for administrative cooperation pursuant to points 6 and 7 of the Annex to Regulation (EU) No 1024/2012.***
- (f) allowing one or more ~~national~~ **competent** authorities of the host Member State ~~that are competent authorities within the meaning of Article 3 of Directive 2014/67/EU,~~ to additionally receive posting declarations , **and all subsequent changes thereof, and submitted documents** directly in the national back-end system upon the request of that Member State-;
- (fa) ***allowing one or more competent authorities of the Member State of establishment of the service provider to receive submitted information, and all subsequent changes thereof, directly in their national back-end system upon the request of that Member State;***
- (fb) ***allowing for the exchange of messages between the competent authorities in the host Member State and the service providers, as long as this is relevant for the content of the posting declaration and/or for the request of uploading relevant documents.***

(fc) making available a link to the single official national website, which Member States have to set up in accordance with Article 5(2) of Directive 2014/67/EU, and which provides information on the applicable terms and conditions of employment and/or which parts of their national and/or regional law are to be applied to workers posted to their territory, including the information related to the posting declaration and any relevant exemptions;

(fd) creating, submitting and managing of motivated notifications in accordance with Article 3 (1a) of Directive 96/71/EC; including the technical validation of the data, as well as the storing of the data for reuse.

2. The Commission shall be responsible for the development, maintenance and operation of the public interface.
3. The Commission shall ensure accessibility for persons with disabilities of the public interface and its content.

Article 3

Making use of the public interface by the Member States

1. A Member State that ~~opts~~*decides* to make use of the public interface shall inform the Commission *at least* six months before the date from which it intends to use the public interface.

1a. For the purpose of preventing more favourable treatment to undertakings established in a non-Member State, ensuring adequate working conditions for workers, promoting fair competition between service providers and facilitating mutual assistance between Member States' national competent authorities, the use of the public interface may additionally include declarations by service providers established in a non-member State and sending workers to a Member State to provide services, when such declarations are required by the legislation of the Member State to whose territory the worker is sent. A Member State that decides to make such additional use of the public interface shall inform the Commission in accordance with paragraph 1.

2. A Member State ~~opting~~ **deciding** to make use of the public interface shall adopt the laws, regulations and administrative provisions necessary to allow for the use of the public interface by service providers posting workers to that Member State and to comply with the requirements of the public interface and of the standard form of the declaration of posting of workers **and, where relevant, for the uploading of documents** in due time before such use.
3. Member States making use of the public interface shall not impose any additional **posting** declaration or information requirements **within the meaning of Article 9(1)(a) of Directive 2014/67/EU** on the service providers submitting the posting declaration through the public interface. **Member States shall not impose any additional requirements regarding keeping or making documents available during or after the posting period within the meaning of Article 9(1) (b), (c) and (d) of Directive 2014/67/EU on the service providers where these documents have been already made available in IMI through the public interface.**
4. **The Commission shall make available on the public interface** the list of Member States making use of the public interface as referred to in paragraph 3 ~~shall be made publicly available by the Commission on.~~ **When a Member State decides not to make use of** the public interface, **the public interface shall make available, where provided by that Member State, the link to that Member State's posting declaration website.**
5. A Member State may discontinue making use of the public interface. That Member State shall inform the Commission thereof ~~six~~ **at least three** months before the intended end date of the use of the public interface. **The Commission shall make available on the public interface the information about the discontinued use of the public interface by the concerned Member State.**

Article 4
Standard form

1. ~~Without prejudice to paragraph 5~~***In accordance with Article 9(1)a of Directive 2014/67/EU and based on national laws implementing that Directive, the standard form shall consist of the information requirements set out in the Annex that are necessary to allow factual controls at the workplace within the meaning of Article 9(1) of Directive 2014/67/EU and related to:***
- (a) the service provider, ***including the legal representative or other person representing the service provider in administrative and legal proceedings;***
 - (b) the posted ~~worker~~***workers, including the anticipated number of clearly identifiable posted workers, the description of the work performed and an indicative level of the hourly rate of pay;***
 - (c) the posting assignment, ***including the anticipated duration, envisaged beginning and end date of the posting, the nature of the services justifying the posting, collective accommodation, if applicable, and working conditions;***
 - (d) the contact ~~person~~***persons to liaise with the competent authorities in the host Member State and with social partners ;***
 - (e) the service recipient, ***including the legal representative or other person representing the service recipient in administrative and legal proceedings .***
- 1a. For postings by a temporary employment undertaking or placement agency, in case of a double or chain posting as described in subparagraphs 1 and 2 of Article 1(3) of Directive 96/71/EC, the standard form shall also consist of information related to each undertaking, and the legal representative or other person representing the undertaking in administrative and legal proceedings.***

- 1b. For postings of third-country nationals, the standard form shall also consist of information related to the residence and work permit or other arrangement of lawful residence or employment, and of the starting, and, if applicable, the end date of their employment relationship.*
- 1c. The provisions set out in paragraphs 1, 1a and 1b of this Article and the information in the Annex shall be without prejudice to Union law, in particular to Article 9(5), second subparagraph, of Directive 2014/67/EU.*
2. The Commission shall **adopt implementing acts to establish and amend** the standard form referred to in paragraph 1 of this Article ~~by way of implementing acts~~ **reflecting the list of information requirements set out in the Annex**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 8(2).
3. A Member State ~~opting~~ **deciding** to make use of the public interface may decide not to request all the information contained in the standard form and shall inform the Commission accordingly.
4. ~~Member States may submit to the Commission suggestions for amendment(s) of the standard form. The Commission shall examine such suggestions with the view to amending, where appropriate, the standard form.~~
5. ~~The Commission may, based on a suggestion by a Member State or on its own initiative, propose an amendment of the standard form, in accordance with the procedure referred to in paragraph 2 of this Article.~~
- 5a.

Article 5

Processing and retention of personal data

1. For the purpose of achieving the objectives set out in Article 1 **and in Article 3(1a)**, personal data referred to in paragraphs 2 and 3 may be processed ~~by~~ **in** the public interface.

2. The Commission is to be considered as controller in accordance with Article 3(8) of Regulation (EU) 2018/1725 in relation to:
 - (a) Ensuring the security and availability of the public interface;
 - (b) Processing the identification and contact details of the person submitting the declaration of posting of workers,

3. The service provider is to be considered as controller ~~in accordance with~~ ***within the meaning of*** Article 4(7) of Regulation (EU) 2016/679 for processing:
 - (a) the identity and contact details of the service provider ***and the service recipient***;
 - (b) the identity of ~~a posted worker~~ ***workers***;
 - (c) an electronic notification address, such as ~~a mail~~ ***an e-mail*** address, of a posted worker to inform the posted worker that a ***posting*** declaration has been submitted for that worker;
 - (d) the address of the workplace of the posted worker;
 - (db) the starting date and the end date, of the employment relationship between the third country national and the service provider;***
 - (dc) indicative level of hourly rate of pay of the posted worker;***
 - (e) the identity and contact details of the ~~contact person of the service provider~~ ***persons to liaise with the competent authorities in the host Member State and with social partners***;
 - (ea) the identity and contact details of the legal representatives or other persons representing the service provider or the service recipient or the user undertaking in administrative and legal proceedings;***

(eb) personal data contained in documents that are uploaded and submitted to the public interface.

4. Where a Member State receives posting declarations *or information, and where applicable documents*, additionally through the public interface in its national back-end system, the competent national authority is to be considered as controller in accordance with Article 4(7) of Regulation (EU) 2016/679 in respect of the processing of personal data contained in these posting declarations, *information or documents*.
5. The public interface shall ensure the automatic deletion of the information *and documents* related to a posting which ~~has~~*have* been submitted through that public interface 36 months after the end date of the posting period.
6. The public interface shall allow for the deletion of all personal data stored in there and in the service providers' accounts when those data are no longer needed for the purposes for which they were collected and processed.
7. The public interface shall allow for the sending of a reminder to the service provider to review and delete, when necessary, any personal data in accordance with paragraph 6.
8. *In accordance with national law and practice*, a Member State may allow the ~~competent~~ national *competent* authority to provide national social partners, *and other bodies acting on their behalf, as well as other actors with an enforcement function*, by other means than IMI with relevant information available in IMI to the extent necessary and exclusively for the purpose of checking compliance with posting rules ~~and in accordance with national law and practices~~, provided that the information relates to a posting to the territory of the Member State concerned.

Article 6

Processing of submitted information *and documents* by means of IMI

1. Information *and documents* submitted via the public interface shall be made available in IMI to the responsible competent authorities of the host Member State to achieve the objectives set out in Article 1. ***Information submitted via the public interface shall also be made available in IMI to the responsible competent authorities of the Member State of establishment of the service provider.***
- 1a. ***The European Labour Authority shall receive statistical data based on posting declarations in the public interface.***

Article 7

Amendment to Regulation (EU) No 1024/2012

In the Annex to Regulation (EU) No 1024/2012, the following new point (17) is added:

‘17. Regulation (EU) .../... of the European Parliament and of the Council of ... on a public interface connected to the Internal Market Information System for the declaration of posting of workers and amending Regulation (EU) No 1024/2012.’

Article 8

Committee procedure

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this paragraph, Article 45 of Regulation (EU) No 182/2011 shall apply.

Article 9
Evaluation

The Commission shall report on the experience gained in the application of this Regulation by [five years after entry into force of the Regulation]. In particular, the report shall examine to what extent this Regulation has been successful in reducing administrative ~~barriers~~**obstacles** to the freedom to provide services, in ~~facilitating~~**contributing to the proper functioning of the internal market, by simplifying administrative requirements, in improving** the effective monitoring by Member States of compliance with ~~EU legislation~~**and enforcement of Union law** aimed at ensuring the protection of posted workers and in ~~supporting~~**strengthening** the related administrative cooperation between the ~~national~~ competent authorities.

Without prejudice to the voluntary nature of the public interface, it shall moreover examine the possibility of exploring any further development of the common public interface itself with a view to facilitating the widest possible use of the interface by ~~in the~~ Member States and the possibility for the posting declaration and the application for a portable document A1 to be brought closer together technically. It shall further examine whether the information requirements set out in the Annex are still necessary and proportionate for the effective monitoring by Member States of compliance with Union law, including on working conditions.

The Commission shall take into account the opinion of the relevant stakeholders, including national enforcement authorities, social partners and service providers, in particular SMEs.

The report shall, where appropriate, be accompanied by a proposal for amendment of this Regulation.

Article 10
Entry into force

This Regulation shall enter into force three months following the date of its publication in the Official Journal of the European Union.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

Annex I

List of information requirements to be included in the standard form

A. Information related to the service provider

1. Identity of the person submitting the declaration (name, phone, e-mail)

2. Type of the posting

(a) Posting under a contract for service, or

(b) Intra-group posting, or

(c) Posting by a temporary work agency

3. Indication of chain/double posting

4. For posting as a subcontractor, name of the main contractor, the EU VAT identification number of the main contractor, or if EU VAT identification number is not available: business registration number of the undertaking in the country of establishment

5. Name of the posting undertaking¹

6. Country of establishment of the posting undertaking

7. Full postal address of the posting undertaking (street, house number, town, postal code, country)

¹ *The purpose is to cover all economic operators.*

8. Contact details of the posting undertaking (phone, e-mail)

9. Field of business (NACE classification with free text to identify NACE classification, voluntary free text field for additional comments)

10. EU VAT identification number, or if EU VAT identification number is not available: business registration number of the undertaking in the country of establishment

10a. Business registration number of the undertaking in the country of establishment

11. Identity of the legal representative or other person representing the undertaking in administrative and legal proceedings (first name and surname; address, including street, house number, town, postal code, country)

12. If applicable, the justification for the use of a temporary employment undertaking or placement agency and the number of the authorisation to carry out temporary employment undertaking or placement agency activities in the country of establishment

B. Information related to the posted worker²

1. First name and surname

2. Job title or description of the activity to be performed during the posting

3. Birth date

4. Passport number or National Identity Card number (must correspond to the form of identification used by the individual during their stay in the host Member State)

² **Individually per posted worker.**

5. Nationality (EU and third country nationals)

6. Email address, where the public interface transmits an extract of the posting declaration to the posted worker

7. For third country nationals: confirmation of a valid residence and work permit or other arrangement of lawful residence and employment in the Member State of establishment of the service provider; starting date of the employment relationship with the service provider and, if applicable, end date

8. Country of affiliation for social security purposes

9. An indicative level of hourly rate of pay of the posted worker

C. Information related to the posting³

1. Anticipated beginning and end date of the posting

2. Indication if the posting is a replacement of a posted worker by another posted worker performing the same task at the same place

3. The nature of the service provided / nature of the activity (NACE classification with free text to identify NACE classification, voluntary free text field for additional comments)

4. For services provided in the construction sector: Indication of registration in relevant national registers of the host Member State

³ *Individually per posted worker*

5. Address(es) of the workplace:

(a) address of the service recipient as workplace and/or

(b) other workplace(s) (street, house number, postal code, town, geographical coordinates or licence plate and phone number)

5a. Indication of the anticipated working periods

6. Availability of documents:

(a) from the person to liaise with the competent national authorities, or

(b) at the workplace, or

(c) other location (street, house number, postal code, town), or

(d) electronically, or

(e) submitted through the public interface

7. Full postal address of collective accommodation provided by employer (if applicable)

(street, house number, postal code, town or geographical coordinates)

D. Information related to the persons to liaise with the competent authorities in the host Member State and with social partners⁴

1. Indication if contact person is either:

(a) one of the posted workers, or

(b) other person, or

(c) undertaking

⁴ ***In case there are two different contact persons, information in points 1 to 6 has to be filled in for both persons.***

2. First name and surname or name of the undertaking

3. Phone

4. Email

5. Address (street, house number, town, postal code, country) (only in case of option (b) or (c) above)

6. If applicable, EU VAT identification number or if EU VAT identification number is not available: business registration number of the undertaking in the country of establishment) (only in case of option (c) above)

E. Information related to the service recipient

If in Section A, point 2 one of the following types of posting has been indicated: posting under a contract for service, intra-group posting:

1. Type of the service recipient:

(a) undertaking, or

(b) private person

2. Indication if the service recipient is an undertaking:

a) Name

b) Address (street, house number, postal code, town, country)

c) E-mail, phone

d) If applicable, EU VAT identification number or if EU VAT identification number is not available: business registration number of the undertaking in the Member State of establishment;

e) Legal representative or other person representing the company in administrative and legal proceedings (first name and surname, address, including street, house number, town, postal code, country)

If in Section A, point 2 the following type of posting has been indicated: posting by a temporary work agency⁵:

a) Name of the user undertaking

b) Address of the user undertaking (street, house number, postal code, town)

c) E-mail, phone

d) If applicable, EU VAT identification number or if EU VAT identification number is not available: business registration number of the user undertaking in the Member State of establishment)

e) Legal representative or other person representing the user undertaking in administrative and legal proceedings (first name and surname, address, including street, house number, town, postal code, country)

⁵ *If in section A, point 3, a chain/double posting is indicated, the information in points 1 to 5 of this sub-section, for each undertaking.*