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**NOTE**

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| From:    | Permanent Representatives Committee (Part 1)                                                                                                                                                |
| To:      | Council                                                                                                                                                                                     |
| Subject: | Regulation amending Regulation (EU) 2021/691 (EGF) as regards support to workers affected by imminent job displacement in enterprises undergoing restructuring<br><i>- General approach</i> |

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**I. INTRODUCTION**

The Commission presented on 1 April 2025 a proposal (7721/25) for a Regulation amending Regulation (EU) 2021/691 as regards support to workers affected by imminent job displacement in enterprises undergoing restructuring (‘Amendment to the EGF Regulation’). This proposal is part of the EU’s industrial action plan for the European automotive sector (COM(2025) 95 final) and aims to respond in an agile way to evolving needs of the industry and labour market in an evolving international trade environment.

The goal of this proposal is to expand the scope of the European Globalisation Adjustment Fund for Displaced Workers (EGF) (2021/691) to support not only those workers who have already lost their jobs, but also workers at risk of losing their jobs imminently. Employees in restructuring enterprises would receive personalized packages of measures if they are at risk of losing their job. Enterprises can request their Member State to apply for EGF support if they meet eligibility criteria and wish to offer EGF-co-financed assistance.

The Commission proposal suggested two main changes to the EGF Regulation:

- 1) Extending the scope to enable the EGF to not only support displaced workers, but also workers affected by imminent job displacement. Unlike EGF support for already-redundant workers (applied for directly by Member States), for the extended scope, a restructuring enterprise would submit a request to its national authorities, which would apply to the Commission on the basis of that request. The enterprise would co-finance the measures.
- 2) Allowing the Commission to request the European Parliament and the Council to mobilise the full annual EGF budget upfront at the start of the year, with the aim to speed up EGF deployment (“full mobilisation procedure”).

In accordance with the proposed legal basis of Articles 175(3) of the Treaty on the Functioning of the European Union (TFEU), the Council is required to act with the European Parliament in accordance with the ordinary legislative procedure and after consulting the Economic and Social Committee and the Committee of the Regions.

The Economic and Social Committee adopted its opinion in its plenary session on 19 June 2025.

The Committee of the Regions adopted its opinion in its plenary session of 2-3 July 2025.

The European Parliament is expected to adopt its position in December 2025.

## **II. STATE OF PLAY**

While the Commission proposal for amending the EGF Regulation had not been foreseen in the initial Commission annual work programme, delegations largely had a positive view on creating an opportunity that would allow EGF funding to support workers who are not yet dismissed but whose job is at an imminent risk of being displaced. At the same time, delegations considered that the mobilisation and disbursement procedure does not need major amendments in the run up to the end of the implementation period, by the end 2027.

The Danish Presidency dedicated four working parties to the proposal, in addition to the four during the Polish Presidency. During this semester, four iterations of the compromise text were prepared and discussed. The Presidency explored with delegations and the Commission in-depth options of how to operationalise applications and disbursement of funds for the extended scope, while limiting administrative burdens and mitigating potential risks of financial liability for the Member States.

The Presidency brought the latest compromise to the attention of Coreper on 19 November 2025 in view of submitting it to EPSCO for a general approach.

## **III. PRESIDENCY COMPROMISE TEXT**

The compromise text seeks to strike a balance between the need for a speedy and efficient amendment, the need for easily implementable solutions and the protection of the financial interests of the Union and the Member States. It seeks to optimise the Fund's impact through an extended scope of application and to reinforce its emergency and preventive nature. It thus enables funding for support measures benefiting a greater number of workers, while including safeguards on financial liability and limiting the administrative burden on Member States.

The main changes in the amending Regulation compared to the Commission's proposal are the following:

### **Article 3 – Definitions**

- Delegations indicated that the added value of the amendment proposed is in its preventive approach, which should allow action to be taken while workers at risk of dismissal are not yet dismissed. They requested that timing of the applications be sufficiently early, so as to allow training to be carried out and the number of dismissals to be reduced.
- Therefore, in Article 3 (Definitions), the definition of ‘(1a) worker affected by imminent job displacement’ has been adapted to refer to workers included in the written communication from employers to workers representatives, according to Article 2(3) of Directive 98/59/EC. This update intends to better reflect the preventive objective of the amended Regulation – taking as reference point an earlier point in time - while striking the right balance between flexibility and legal certainty.

### **Article 5a (Communication of the number of workers affected by imminent job displacement)**

- A new Article 5a was added specifically to cover the extended scope, thus leaving the Article 5 (Calculations of displacements and of cessation of activity) to cover the current scope of the Regulation. This new article clarifies which number of workers is relevant for the purpose of Article 4, which lays down the intervention criteria and sets the minimum number of workers affected by imminent job displacement required for the EGF intervention.

## **Article 6 - Eligible beneficiaries**

- The text clarifies that workers shall remain eligible as part of the group affected by ‘Imminent job displacement’ even in case of an actual termination of the work relationship. This helps create a distinction between the two target groups/applications and helps clarify the (continued) rights of workers under Article 8a in case of dismissal.

## **Article 8a - Applications for EGF assistance to workers affected by imminent job displacement**

- Article 8a details how applications under the extended scope are to be prepared, submitted and assessed. The compromise text seeks to balance necessary safeguards with flexibility for Member States, while also ensuring a predictable application process.
- Regarding the most appropriate budget management mode of the implementation of the extended scope of the EGF, the Presidency has sought guidance from Member States (Presidency note 11905/25) in July. Acknowledging that Member State preferences were divided between a shared-management and a direct-management mode for the extended scope, considering the approaching end of the EGF programme in 2027 and following in-depth exchanges with the Commission regarding options and time-related challenges of implementing direct management at this stage, the compromise focuses on a shared management solution.

- The proposed compromise now also includes administrative and procedural safeguards, which address the specificity of the implementation of the extended scope and Member States' concerns regarding their liability, especially given the role for the Commission in the process.
- In order to reduce administrative burdens and facilitate compliance with the obligations laid down in the Regulation, Article 8a was updated to specify that the Commission shall produce non-binding guidance for both Member States and companies, including checklists for grant agreements to be prepared by the Member States, templates for applications and other supporting material.
- The proposal for establishing Single Entry Points was dismissed, following requests from Member States and the confirmation from the Commission that Member States can use their existing structures to process EGF applications.
- A paragraph 2(bis) was added to specify Member States may choose to carry out ex-ante checks of the applicant enterprises' financial and administrative capacity as well as verify the information provided by the enterprise and whether the targeted package is expected to be carried out in accordance with national law. If Member States opt to conduct such ex-ante checks and verifications, the Commission *shall* take the results thereof into account when assessing the application. This is a further step towards aligning the assessments made by the Member State and by the Commission.

### **Article 13 - Determination of the financial contribution**

- The article has been updated following suggestions from several Member States, to establish a ceiling per enterprise, which is based on estimations from current applications. As per the compromise text, for any given enterprise, funding shall not exceed EUR 4,000,000 per Member State and per financing year. This provision seeks to limit the risk that any individual enterprise depletes the funding resources, and to ensure that funding will be available for restructurings across different Member States.

### **Article 15 – Budget Procedure and implementation**

- The proposal to replace Article 15 and change the mobilisation procedure for the fund was dismissed by Member States. The compromise text maintains the wording of the current EGF Regulation for Article 15, clarifying only that it applies also to applications of the extended scope.

### **Article 16 – Insufficient funds**

- The Commission’s proposal for replacing Article 16 was dismissed. The compromise text maintains the wording of the current EGF Regulation for Article 16, with the update that it also applies to applications of the extended scope.

## **Article 17 - Payment and use of the financial contribution**

- In order to allow Member States to control the disbursements and thereby minimise the risk where they consider it necessary, the compromise text now stipulates that Member States may provide pre-financing payments in instalments.

The text reflects a thorough process of reflection and consultation with Member States and the Commission. It represents a flexible and balanced approach and takes into account the time constraints. In order to maximise the added value of this Amendment to the EGF Regulation, the negotiations with the Parliament would need to be started and conducted in a timely manner.

## **IV. CONCLUSION**

The Council is invited to reach a general approach on the text as set out in the annex to this note and to mandate the Presidency to enter into negotiations on the file with the European Parliament.

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2025/0073 (COD)

Proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**amending Regulation (EU) 2021/691 as regards support to workers affected by imminent job displacement in enterprises undergoing restructuring**

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 the third paragraph of Article 175 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 Committee<sup>1</sup>,

Having regard to the opinion of the Committee of the Regions<sup>2</sup>,

Acting in accordance with the ordinary legislative procedure,

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<sup>1</sup> OJ C , , p. .

<sup>2</sup> OJ C , , p. .

Whereas:

- (1) Regulation (EC) No 1927/2006 of the European Parliament and of the Council<sup>3</sup> established the European Globalisation Adjustment Fund (EGF) for the multiannual financial framework from 1 January 2007 to 31 December 2013. The EGF was established to enable the Union to show solidarity towards workers who lost their jobs as a result of major structural changes in world trade patterns due to globalisation.
- (2) The scope of the EGF was broadened in 2009 as part of the European Economic Recovery Plan to include support to workers made redundant as a direct consequence of the global financial and economic crisis.
- (3) Regulation (EU) No 1309/2013 of the European Parliament and of the Council<sup>4</sup> established the EGF for the period of the multiannual financial framework from 1 January 2014 to 31 December 2020. It also extended the scope of the EGF to cover redundancies resulting from any new global financial and economic crisis. Furthermore, Regulation (EU) No 1309/2013 was amended to introduce rules allowing the EGF to exceptionally cover collective applications involving small and medium-sized enterprises located in one region and operating in different economic sectors defined at NACE Revision 2 division<sup>5</sup> level, where the applicant Member State demonstrates that small and medium-sized enterprises are the main or the only type of business in that region.

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<sup>3</sup> Regulation (EC) No 1927/2006 of the European Parliament and of the Council of 20 December 2006 on establishing the European Globalisation Adjustment Fund ([OJ L 406, 30.12.2006, p. 1](#)).

<sup>4</sup> Regulation (EU) No 1309/2013 of the European Parliament and of the Council of 17 December 2013 on the European Globalisation Adjustment Fund (2014-2020) and repealing Regulation (EC) No 1927/2006 ([OJ L 347, 20.12.2013, p. 855](#)).

<sup>5</sup> Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains (Text with EEA relevance) ([OJ L 393, 30.12.2006, p. 1](#)).

- (4) Regulation (EU) 2021/691 of the European Parliament and of the Council established the EGF for the period of the multiannual financial framework from 1 January 2021-31 December 2027. In order to make the EGF more responsive to the rapidly changing economic challenges in a globalised economy, the scope of the EGF was broadened again to cover any type of large-scale restructuring event, no matter what the cause. A lower threshold better reflects the realities in lesser populated regions. In the light of the twin digital and green transitions, measures that prepare beneficiaries for the twin transition were considered mandatory elements of every coordinated package of personalised measures offered to beneficiaries. Further, the co-financing rates were aligned with the highest co-financing rate of the European Social Fund Plus (ESF+) established by Regulation (EU) 2021/1057 of the European Parliament and of the Council<sup>6</sup> in the respective Member State. Additionally, a mandatory beneficiary survey was introduced.
- (5) The main Union instrument to assist those workers that have been affected is the ESF+, which is designed to offer assistance in an anticipatory way. The EGF is also designed to offer assistance in response to major restructuring events. However, this set-up does not properly reflect the fact that large-scale restructuring events generally take place over a long time period. Member States can use the ESF+ to upskill and reskill workers, but the ESF+ does not provide support for the upskilling and reskilling of workers in emergency situations such as those in which workers affected by imminent job displacement are. The enterprises where the workers concerned are employed are often in economic difficulty and therefore unable to offer such assistance on their own.

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<sup>6</sup> Regulation (EU) 2021/1057 of the European Parliament and of the Council of 24 June 2021 establishing the European Social Fund Plus (ESF+) and repealing Regulation (EU) No 1296/2013 (OJ L 231, 30.6.2021, p. 21, ELI: <http://data.europa.eu/eli/reg/2021/1057/oj>).

- (6) The EGF's role continues to be important as a flexible instrument to support workers who lose their jobs in large-scale restructuring events and to help them to find other jobs as quickly as possible. The Union should continue to provide specific, one-off support to facilitate the reintegration into decent and sustainable employment of displaced workers in areas, sectors, territories or labour markets suffering from a shock caused by serious economic disruption. The EU has to ensure its sustainable prosperity and competitiveness while preserving its unique social market economy, succeeding in the twin transition, and safeguarding its democracy, economic security and geopolitical standing. To safeguard the EU's future as an economic powerhouse, and progress on its twin digital and green transition, it is vital to support workers affected by imminent job displacement in enterprises undergoing restructuring so that they can acquire the skills that would help them transfer into a different role, or to change job.
- (7) Therefore it is necessary to amend Regulation (EU) 2021/691 so that the EGF can also offer assistance to workers affected by imminent job displacement in enterprises undergoing restructuring. As these workers are still in active employment, their employer may request assistance through the relevant Member States' authorities. As the EGF is under shared management, it is the Member States' authorities that can request EGF co-funding upon receipt of a request by an enterprise, provided that the enterprise agrees to provide the national co-funding. Should the financial contribution from the EGF be granted, the Member State concerned should make the funds requested available to the enterprise. In particular, the enterprise should make available to the Member State all information needed for delivering a full-fledged, complete application form (including in particular the number of projected redundancies, intended training courses), all data and information necessary for financial control of first and second level, and all information needed to prepare the final report on the implementation of the relevant financial contribution, not later than six months after the end of the implementation of the assistance. The Commission will prepare a beneficiary survey and the enterprise should share the access to the survey to the workers who participated in the programme.

- (8) To enable Member States to mitigate financial risks and liabilities related to implementation of the targeted package, Member States could decide to carry out financial and administrative checks which are effective and proportionate, before submitting the application to the Commission.
- (8a) The Commission and the Member States should carry out their responsibilities in a manner which takes into account the administrative costs incurred in the preparation of the application by the enterprises and the national authorities and is proportionate to the estimated financial risks connected to the application.
- (9) The support provided to workers affected by imminent job displacement in enterprises undergoing restructuring should take into account existing forms of support available under national measures. Short-time work schemes should not be eligible for EGF support as they do not relate to the displacement of jobs, but to their temporary suspension. If the national measures allow it, the requesting enterprise may subcontract the delivery of the coordinated package of personalised measures, or parts thereof.
- (10) The co-financing rate for such measures targeted to workers affected by imminent job displacement in enterprises undergoing restructuring should be equal to the co-financing rate for EGF assistance to displaced workers. Enterprises that request EGF support should provide the national co-financing.
- (11) The co-financing rate for expenditure incurred by the Member State in relation to applications for EGF support and their processing, including administrative and staff costs linked to ex-ante checks, preparatory, management, information and publicity, and control and reporting activities, should be 100%.

- (12) As the workers affected by imminent job displacement are still in active employment, only those active labour market policy measures that help them reskill or upskill, or that give guidance or mentoring, including measures aimed at workers that could envisage starting their own business one day, should be eligible. Therefore, neither allowances, nor start-up grants should be eligible.
- (13) Workers affected by imminent job displacement receiving EGF assistance should remain eligible as part of the group affected by ‘imminent job displacement’ even if their work relationship ends. They should also remain eligible for possible new applications by the respective Member States in support of displaced workers from the same enterprise.
- (14) Given the Commission’s increasing tasks in implementing Regulation (EU) 2021/691, the Commission should be able to request technical assistance of up to 1.5% of the total annual maximum amount of the EGF. The higher rate is also justified since the EGF’s annual maximum amount was lowered in the context of the multiannual financial framework mid-term revision.
- (15) [deleted]
- (16) [deleted]
- (17) [deleted]
- (18) This Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*,

HAVE ADOPTED THIS REGULATION:

*Article 1*

Regulation (EU) 2021/691 is amended as follows:

(1) **In Article 1, paragraph 2** is replaced by the following:

‘2. In accordance with Article 4, the EGF shall offer support to displaced workers and self-employed persons whose activity has ceased in the course of major restructuring events and to workers affected by imminent job displacement in enterprises undergoing restructuring.’;

(2) **Article 2** is replaced by the following:

‘Article 2

Mission and objectives

‘1. The EGF shall support socioeconomic transformations that are the result of globalisation and of technological and environmental changes by helping displaced workers and self-employed persons whose activity has ceased to adapt to structural change. The EGF shall constitute an emergency fund that operates reactively. As such, the EGF shall contribute to the implementation of the principles set out in the European Pillar of Social Rights and shall enhance social and economic cohesion among regions and Member States.

2. The objectives of the EGF are to demonstrate solidarity and promote decent and sustainable employment in the Union by offering assistance in the case of major restructuring events, in particular those caused by challenges related to globalisation, such as changes in world trade patterns, trade disputes, significant changes in the trade relations of the Union or the composition of the internal market and financial or economic crises, as well as the transition to a low-carbon economy, or as a consequence of digitisation or automation. The EGF shall support beneficiaries in returning to decent and sustainable employment as soon as possible. Particular emphasis shall be placed on measures that help the most disadvantaged groups. The EGF shall also support workers affected by imminent job displacement in acquiring the skills needed to help them transfer into a different role, or to change jobs in their current or different enterprise.’;

(3) **Article 3** is amended as follows:

(a) the following point is inserted:

‘(1a) worker affected by imminent job displacement’ means a worker, regardless of the type or duration of their employment relationship, whose employment contract or relationship is expected to be ended by redundancy according to the written communication from the employer to the workers' representatives informing them, during the course of the consultations with them, inter alia, of the number and categories of workers to be made redundant in accordance with Article 2(3) of Directive 98/59/EC;

(b) the following point is added:

‘(6) ‘enterprise undergoing restructuring’ means an enterprise undergoing a process that involves collective redundancies as referred to in Directive 98/59/EC.’;

(4) **Article 4** is amended as follows:

(a) **paragraph 1** is replaced by the following:

‘1. Member States may apply for financial contributions from the EGF for measures targeting displaced workers and self-employed persons in accordance with the provisions laid down in this Article. Member States shall apply for financial contributions from the EGF in cases of requests from enterprises concerning measures targeting workers affected by imminent job displacement.’;

(b) in **paragraph 2**, the following point is added:

‘(d) the projected collective redundancies of at least 200 workers affected by imminent job displacement in an enterprise undergoing restructuring in a Member State.’;

(c) **paragraph 3** is replaced by the following:

‘3. In small labour markets, in duly substantiated cases, in particular with regard to applications involving SMEs, an application for a financial contribution under this Article shall be considered to be admissible even if the criteria laid down in paragraph 2 are not entirely met, provided that the redundancies or projected collective redundancies have a serious impact on employment and the local, regional or national economy.

For applications under Article 8, the Member State shall duly substantiate the request, and shall specify which of the criteria laid down in paragraph 2 of this Article are not entirely met.

For applications under Article 8a, following a duly substantiated request from the enterprise, including the indication of criteria laid down in paragraph 2 of this Article which are not entirely met, the Member State shall submit the application.’

(5) **Article 5** is amended as follows:

(a) in the **first paragraph**, the first sentence is replaced by the following:

‘The applicant Member State shall specify the method used for calculating the number of displaced workers and self-employed persons whose activity has ceased for the purpose of Article 4 as at one or more of the following dates:’;

(b) the **second paragraph** is replaced by the following:

‘In the cases referred to in the first paragraph, point (a), of this Article, the applicant Member State shall provide the Commission with additional information about the actual number of redundancies effected in accordance with Article 4, before the completion of the Commission’s assessment;

(5a) A new Article 5a is inserted:

**‘Article 5a**

Communication of the number of workers affected by imminent job displacement

For the purpose of Article 4, the applicant Member State shall communicate, as the number of workers affected by imminent job displacement, the number of workers identified in the written communication from the employer to the workers' representatives, which is forwarded by the employer to the competent public authority in accordance with the second subparagraph of Article 2(3) of Directive 98/59/EC.’

(6) **Article 6** is amended as follows:

(a) **in paragraph 1**, the following point is added:

‘(c) workers affected by imminent job displacement in an enterprise undergoing restructuring. The workers shall remain eligible as part of the group affected by ‘imminent job displacement’ even in case of an actual termination of the work relationship. Only those restructuring events shall be eligible that qualify as collective redundancies under Directive 98/59/EC.’;

(b) **paragraph 3** is added:

The workers affected by imminent job displacement as referred to in point (c) of the first paragraph shall remain eligible regardless of the support measures provided by the Member State and financed exclusively by State resources, provided that these measures are not part of the coordinated package referred to in Article 7.

(7) **Article 7** is amended as follows:

(a) **paragraph 1** is replaced by the following:

‘1. A financial contribution from the EGF may be made for active labour market policy measures that form part of a coordinated package, designed to facilitate the reintegration of the targeted beneficiaries, in particular the most disadvantaged among them, into employment or self-employment, or to help workers referred to in Article 6, first paragraph, point (c) acquire the skills they need to transfer either into a different role with their current employer or to a different employer.’;

- (b) **in paragraph 2**, second subparagraph, the following point is added:

‘(c) For the beneficiaries referred to in Article 6, first paragraph, point (c), the coordinated package may include training and retraining, tailored to the individual worker’s needs, including on information and communication technology and other skills required in the digital age, certification of acquired knowledge and skills, individual job-search assistance services and targeted group activities, occupational guidance, advisory services, mentoring, outplacement assistance, entrepreneurship promotion and cooperation activities. It shall not include short-time work schemes, startup grants or allowances.

- (8) **Article 8** is amended as follows:

- (a) the title is replaced by the following:

‘Article 8

Applications for EGF assistance to displaced workers and self-employed persons whose activity has ceased’;

- (b) **paragraph 6** is replaced by the following:

‘6. Based on the information provided by the applicant Member State, the Commission shall complete its assessment of the application’s compliance with the conditions for providing a financial contribution within 50 working days of the receipt of the complete application or, where applicable, of the translation of the application.

Where the Commission is unable to meet that deadline, it shall inform the Member State before that deadline and set a new date to complete its assessment. That new date shall be no later than 20 working days after the deadline under the first subparagraph.’;

- (c) [deleted]

(9) The following **Article 8a** is inserted:

‘Article 8 a

Applications for EGF assistance to workers affected by imminent job displacement

1. Enterprises undergoing restructuring may request the Member State concerned to submit an application for a financial contribution from the EGF, if the intervention criteria set out in Article 4(2), point (d) are met, and if the enterprise wishes to offer EGF-co-financed assistance to those parts of its workforce affected by imminent job displacement, in line with Article 6, first paragraph, point (c) for the entire implementation period. Such a request may be submitted by the enterprise as of the date on which it forwarded to the competent public authority the written communication to the workers' representatives containing, inter alia, the number and categories of workers to be made redundant in accordance with the second subparagraph of Article 2(3) of Directive 98/59/EC.
2. The Commission shall provide non-binding guidelines, check-lists and templates. The Member States may decide to make the templates provided by the Commission mandatory for the submission of requests. Member States shall publish relevant guidelines and templates to support the enterprises prepare their requests. The information to be provided by the enterprise through the templates shall cover all the information necessary for a financial contribution application from the EGF, as set out in paragraph below.

**2(bis).** Member States shall submit the applications based on the requests mentioned in paragraph (1). Without prejudice to the Commission's independent assessment of the application for a financial contribution from the EGF in paragraph 9 of this Article, the Member State may carry out ex ante checks to verify:

- a) the-applicant enterprise's financial and administrative capacity to implement the contribution from the EGF to the affected workers,
- b) the information provided in accordance with paragraph 10, points d), f) and j) of this Article, and
- c) whether the targeted package is expected to be carried out in accordance with national law.

These checks and verifications may include, but are not limited to, an assessment of financial risks for the Member State, including potentially fraudulent activity, the risk of double funding etc. Where Member States carry out ex-ante checks and verifications, they shall communicate the results of those checks and verifications, as well as their assessment of the request submitted by the enterprise when submitting the application to the Commission. The Commission shall take that information into account in its assessment of the application.

3. Member States shall treat all requests equally and in order of receipt without exerting any discretion regarding the admissibility and eligibility of these requests and shall submit applications for assistance received from enterprises. Member States shall not introduce any additional requirements or alter the requirements set out in this Regulation.

4. The applicant Member State shall submit to the Commission a financial contribution application from the EGF within 15 working days of the date on which it received a complete enterprise's request.

5. If requested by the enterprise, the Member State concerned shall provide guidance to the enterprise throughout the application procedure.
6. If requested by the applicant Member State, the Commission shall provide guidance to the Member State throughout the application procedure.
7. Within 10 working days of the date of submission of the application, or, where applicable, within 10 working days of the date on which the Commission is in possession of a translation of the application, whichever is the later, the Commission shall acknowledge receipt of the application and request from the applicant Member State any additional information that it requires in order to assess the application. If the requested additional information concerns information that can be provided by the enterprise, the enterprise must prepare that information for the Member State.
8. Where the Commission requests additional information, the Member State shall reply within 15 working days of the date of the request. The Commission shall extend that deadline by 10 working days at the request of the applicant Member State. Any such requests for extension shall be duly reasoned.
9. Based on the information provided in the application, the Commission shall complete its assessment of the application's compliance with the conditions for providing a financial contribution within 50 working days of the receipt of the complete application or, where applicable, of the translation of the application. The Commission shall carry out checks of the information provided in accordance with paragraph 10.

Where the Commission is unable to meet that deadline, it shall inform the applicant Member State before the expiry of the deadline, setting a new date for the completion of its assessment. That new date shall be no later than 20 working days after the deadline under the first subparagraph.

10. An application shall contain the following information:

- (a) the identification of the enterprise concerned;
- (b) an assessment of the number of jobs affected by displacement in accordance with Article 6, first paragraph, point (c);
- (c) a brief description of the events that led to the restructuring;
- (d) a confirmation that the enterprise has complied and continues to comply with its legal obligations or collective agreements governing those projected redundancies and is providing for its workers accordingly, and a description of the procedures followed by the enterprise for consulting the targeted beneficiaries or their representatives;
- (e) an estimated breakdown of the composition of the targeted beneficiaries by gender, age group and educational level, used in the design of the coordinated package;
- (f) a detailed description of the coordinated package and related expenditure, including any measures in support of employment initiatives for disadvantaged, young and older beneficiaries;
- (g) the estimated budget for each of the components of the coordinated package in support of the targeted beneficiaries that will be offered by the enterprise;

- (h) the dates on which the provision of the coordinated package to the targeted beneficiaries and the activities to implement the EGF, as set out in Article 7, were started or are due to be started;
- (i) the estimated budget for any preparatory activities, including ex-ante checks, as well as management, information and publicity, control and reporting activities by the applicant Member State in relation to such an application;
- (j) a statement outlining why the coordinated package does not replace measures that are the responsibility of employers by virtue of national law or collective agreements;
- (k) the confirmation from the enterprise concerned that it will co-finance the measures and that it is the only source for the national co-funding.
- (l) a confirmation from the Member State that it has not provided any funding for the package of measures contained in the application.

Information under points a) to h) and j) to k) shall be provided to the Member State by the enterprise.

(10) **in Article 11, paragraph 1** is replaced by the following:

‘1. At the initiative of the Commission, a maximum of 1.5% of the maximum annual amount of the EGF may be used for technical and administrative expenditure for its implementation, such as preparatory, monitoring, control, audit and evaluation activities, as well as data gathering, including in relation to corporate information technology systems, communication activities and those enhancing the EGF’s visibility as a fund or for specific projects and other technical assistance measures. Such measures may cover future and previous programming periods.’;

(11) **Article 13** is amended as follows:

(a) **paragraph 1** is replaced by the following:

‘1. On the basis of the assessment carried out in accordance with Article 8 or Article 8a, in particular taking into account the number of targeted beneficiaries, the proposed measures and the estimated costs, the Commission shall evaluate and propose the amount of a financial contribution from the EGF, if any, that may be made within the limits of the resources available.’;

(b) the following paragraph is inserted:

‘2a. The co-financing rate for expenditure incurred by the Member State for beneficiaries referred to in Article 6, first paragraph, point (c) and relating to measures set out in Article 7(5), shall be 100%.’;

(c) **paragraph 3** is replaced by the following:

‘3. Where, on the basis of the assessment carried out in accordance with Article 8 or Article 8a, the Commission concludes that the conditions for a financial contribution under this Regulation are met, it shall immediately initiate the procedure set out in Article 15. Under Article 8a, the financial contribution by the EGF for a given enterprise shall not exceed EUR 4 000 000 per Member State for any financing year.’;

(12) **In Article 14, paragraphs (1) and (2)** are replaced by the following:

‘1. Expenditure shall be eligible for a financial contribution from the EGF from the dates set out in the application in accordance with Article 8(7), point (j), or Article 8a(10), point (h), on which the Member State or the enterprise concerned starts, or is due to start, providing the coordinated package to the targeted beneficiaries or on which the Member State incurs administrative expenditure to implement the EGF in accordance with Article 7(1) and 7(5).

2. The Member State or the enterprise shall start implementing the eligible measures set out in Article 7 without undue delay and shall carry out those measures as soon as possible, and in any event within 24 months from the date of entry into force of the financial contribution decision.’;

(13) **Article 15, paragraph 3** is replaced by the following:

‘3. A proposal for a decision to mobilise the EGF pursuant to paragraph 1 shall include the following:

(a) the assessment carried out in accordance with Article 8(6) and **Article 8a(9)**, together with a summary of the information on which that assessment is based; and

(b) the reasons justifying the amounts proposed in accordance with Article 13(1).’;

- (14) **Article 16** is replaced by the following:

‘Article 16

Insufficient funds

By way of derogation from the deadlines set out in Articles 8, 8a and 15, in exceptional cases and provided that the remaining commitment appropriations available in the EGF are not sufficient to cover the amount of assistance that is necessary according to the Commission proposal, the Commission may postpone the proposal to mobilise the EGF and the subsequent budgetary transfer request until commitment appropriations are available in the following year. The annual budgetary ceiling of the EGF shall be respected in all circumstances.’;

- (15) In **Article 17**, the following paragraph is added:

‘6. Following the receipt of the Commission’s pre-financing payment, the Member State concerned shall make available to the enterprise concerned that part of the pre-financing payment that relates to the coordinated package of measures implemented by the enterprise. Member States may choose to make the pre-financing payment available in instalments. The payment modalities shall be set out in the act governing the financial contribution from the Member State to the enterprise. The Member States may, where appropriate, direct the funds to the enterprise via the relevant regional or other public authority, provided that this does not delay the payment. The Member State shall retain or direct to regional or other public authority the part of the pre-financing that relates to measures referred to in Article 7(5).’

(16) In **Article 20**, the following paragraph is added:

‘3. In cases where an enterprise is implementing a financial contribution from the EGF for workers affected by imminent job displacement, the enterprise shall by the end of the sixth month after the expiry of the implementation period provide the Member State concerned with a final report on the implementation of the financial contribution, including all relevant information specified in paragraph 1.’;

(17) In **Article 22**, paragraph 4 is replaced by the following:

‘4. A beneficiary survey shall be launched by the Commission during the sixth month after the end of each implementation period. The beneficiary survey shall be open to participation for at least four weeks. Member States shall distribute the beneficiary survey to the beneficiaries, send out at least one reminder and inform the Commission of the distribution and reminder sent. In cases involving assistance implemented by an enterprise to beneficiaries under Article 6, first paragraph, point (c), that enterprise is responsible for distributing the survey prepared by the Commission among the workers that have participated in the measures. The responses to the beneficiary surveys shall be collated and analysed by the Commission for the use in future evaluations.’

(18) [The proposed addition of Article 28a is deleted]

*Article 2*

***Entry into force***

This Regulation shall enter into force on the day following that 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*

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