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European Union

Brussels, 24 March 2023  
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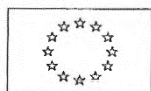
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#### NOTE

From:	Legal services of the European Parliament, the Council and the Commission
To:	Working Party on Integration, Migration and Expulsion (Admission)
No. prev. doc.:	8580/2022
Subject:	Opinion of the legal services of the European Parliament, the Council and the Commission on the recasting technique used for the proposal for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State (recast) COM(2022) 655 final of 27.4.2022 - 2022/0131 (COD)

Delegations will find in the Annex the opinion of the legal services of the European Parliament, the Council and the Commission (Consultative Working Party) on the recasting technique used for the proposal for a Directive of the European Parliament and of the Council concerning the single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State (recast) COM(2022) 655 final of 27.4.2022 - 2022/0131 (COD).



GROUPE CONSULTATIF  
DES SERVICES JURIDIQUES

Brussels,

16 MARS 2023

# OPINION

FOR THE ATTENTION OF THE EUROPEAN PARLIAMENT  
THE COUNCIL  
THE COMMISSION

**Proposal for a Directive of the European Parliament and of the Council on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State (recast)**  
COM(2022) 655 final of 27.4.2022 - 2022/0131 (COD)

Having regard to the Inter-institutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts, and in particular to point 9 thereof, the Consultative Working Party consisting of the respective legal services of the European Parliament, the Council and the Commission met on 6 October 2022 and 1 February 2023 for the purpose of examining, among others, the aforementioned proposal submitted by the Commission.

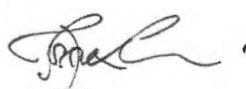
At those meetings<sup>1</sup>, an examination of the proposal for a Directive of the European Parliament and of the Council recasting Directive 2011/98/EU of the European Parliament and of the Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State resulted in the Consultative Working Party's establishing, by common accord, that the following should have been marked with the grey-shaded type generally used for identifying substantive amendments:

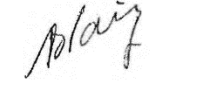
- in recital 7, the adding of the words '*subject to Directive 96/71/EC of the European Parliament and of the Council*';
- in recital 9, the adding of the word '*globally*';
- in recital 17, the replacement of the word '*title*' with the word '*permit*';
- in recital 23, the replacement of the word '*specified*' with the word '*covered*';
- the entire text of recital 32 of Directive 2011/98/EU;

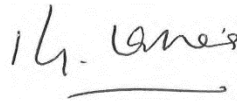
<sup>1</sup> The Consultative Working Party worked on the basis of the English language version of the proposal, being the master-copy language version of the text under discussion.

- in Article 1(2), the adding of the words '*volume of*' and '*coming from third countries to seek employment*' and the deletion of the words '*to their labour markets*';
- in Article 3(2), point (c), the replacement of the words '*posted for*' with the words '*covered by Directive 96/71/EC*';
- in Article 9, point (a), the deletion of the word '*complete*';
- in Article 10, the replacement of the word '*may*' with the word '*shall*';
- in Article 18(1), first subparagraph, the replacement of the words '*25 December 2013*' with the words '*[two years after the entry into force]*'.

In consequence, examination of the proposal has enabled the Consultative Working Party to conclude, without dissent, that the proposal does not comprise any substantive amendments other than those identified as such. The Working Party also concluded, as regards the codification of the unchanged provisions of the earlier act with those substantive amendments, that the proposal contains a straightforward codification of the existing legal text, without any change in its substance.

  
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