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#### NOTE

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From:	General Secretariat of the Council
To:	Working Party on Competitiveness and Growth (Internal Market) – eDeclaration
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 – Presidency document

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**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**  
**Presidency document for WP Internal market 27-11-2025**

	<b>CLEAN</b> <b>Commission Proposal</b>	<b>VS.EC</b> <b>EP Mandate</b>	<b>VS.EC</b> <b>Council Mandate</b>	<b>VS.EC</b> <b>Draft Agreement</b>
<b>Formula</b>				
1	2024/0301 (COD)	2024/0301 (COD)	2024/0301 (COD)	2024/0301 (COD)
<b>Document Stage</b>				
2	Proposal for a	Proposal for a	Proposal for a	Proposal for a
<b>Document Type</b>				
3	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
<b>Document Purpose</b>				
4	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	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	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	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
<b>Formula</b>				
5	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
<b>Citation 1</b>				
6	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Citation 2				
7	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,
Citation 3				
8	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,
Citation 4				
9	Having regard to the opinion of the European Economic and Social Committee <sup>1</sup> , 1. O J C , , p . .	Having regard to the opinion of the European Economic and Social Committee <sup>1</sup> , 1. O J C , , p . .	Having regard to the opinion of the European Economic and Social Committee <sup>1</sup> , 1. O J C , , p . .	Having regard to the opinion of the European Economic and Social Committee <sup>1</sup> , 1. O J C , , p . .
Citation 5				
10	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,
Formula				
11	Whereas:	Whereas:	Whereas:	Whereas:
Recital 1				
12	(1) The Internal Market Information System ('IMI'), established by Regulation (EU) No 1024/2012 of the European Parliament and of the Council <sup>1</sup> , 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/EU <sup>2</sup> and 96/71/EC <sup>3</sup> of the European	(1) The Internal Market Information System ('IMI'), established by Regulation (EU) No 1024/2012 of the European Parliament and of the Council <sup>1</sup> , 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/EU <sup>2</sup> and 96/71/EC <sup>3</sup> of the European	(1) The Internal Market Information System ('IMI'), established by Regulation (EU) No 1024/2012 of the European Parliament and of the Council <sup>1</sup> , 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/EU <sup>2</sup> and 96/71/EC <sup>3</sup> of the European	(1) The Internal Market Information System ('IMI'), established by Regulation (EU) No 1024/2012 of the European Parliament and of the Council <sup>1</sup> , 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/EU <sup>2</sup> and 96/71/EC <sup>3</sup> of the European

CLEAN	Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	<p>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.</p> <p>1. 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: <a href="http://data.europa.eu/eli/reg/2012/1024/oj">http://data.europa.eu/eli/reg/2012/1024/oj</a>).</p> <p>2. 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: <a href="http://data.europa.eu/eli/dir/2014/67/oj">http://data.europa.eu/eli/dir/2014/67/oj</a>).</p> <p>3. 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: <a href="http://data.europa.eu/eli/dir/1996/71/oj">http://data.europa.eu/eli/dir/1996/71/oj</a>).</p>	<p>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.</p> <p>1. 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: <a href="http://data.europa.eu/eli/reg/2012/1024/oj">http://data.europa.eu/eli/reg/2012/1024/oj</a>).</p> <p>2. 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: <a href="http://data.europa.eu/eli/dir/2014/67/oj">http://data.europa.eu/eli/dir/2014/67/oj</a>).</p> <p>3. 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: <a href="http://data.europa.eu/eli/dir/1996/71/oj">http://data.europa.eu/eli/dir/1996/71/oj</a>).</p>	<p>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.</p> <p>1. 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: <a href="http://data.europa.eu/eli/reg/2012/1024/oj">http://data.europa.eu/eli/reg/2012/1024/oj</a>).</p> <p>2. 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: <a href="http://data.europa.eu/eli/dir/2014/67/oj">http://data.europa.eu/eli/dir/2014/67/oj</a>).</p> <p>3. 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: <a href="http://data.europa.eu/eli/dir/1996/71/oj">http://data.europa.eu/eli/dir/1996/71/oj</a>).</p>	<p>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.</p> <p>1. 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: <a href="http://data.europa.eu/eli/reg/2012/1024/oj">http://data.europa.eu/eli/reg/2012/1024/oj</a>).</p> <p>2. 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: <a href="http://data.europa.eu/eli/dir/2014/67/oj">http://data.europa.eu/eli/dir/2014/67/oj</a>).</p> <p>3. 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: <a href="http://data.europa.eu/eli/dir/1996/71/oj">http://data.europa.eu/eli/dir/1996/71/oj</a>).</p>

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Recital 2				
13	<p>(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. 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</p>	<p>(2) Directive 2014/67/EU aims to facilitate the exercise of the freedom to provide services and <u>promote fair competition between service providers thus supporting</u> 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. 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</p>	<p>(2) Directive 2014/67/EU aims to <del>facilitate the exercise of the freedom to provide services and the functioning of the internal market, as well as to guarantee respect for</del> an appropriate level of protection of the rights of posted workers for the cross-border provision of services, in particular <del>as regards</del> 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, <b>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.</b> According to Article 9(1) of Directive 2014/67/EU, Member States may only impose administrative requirements and control measures <i>in so far</i> 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</p>	<p>[REDACTED]</p>

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	<p>authorities 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.</p>	<p>State to make a simple declaration to the responsible national competent authorities <u>containing the relevant information necessary</u> 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.</p> <p><u>Article 9(1), point (b), allows Member States to impose an obligation on service providers to, inter alia, keep, make available and 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), point (c), allows Member States to impose an obligation on service providers to deliver those documents after the end of the posting period at the request of the authorities of the host Member State, within a reasonable period of time.</u></p>	<p>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 <u>containing the relevant information necessary</u> 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.</p> <p><i>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</i></p>	<p>[Redacted]</p>



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		<u>of additional staff or external service providers, leading to extra costs and operational delays</u> and is among the most important administrative barriers for the cross-border provision of services in the internal market. <u>In some cases, complex procedures may even discourage companies from posting their workers. At the same time, stakeholders have highlighted violations and enforcement challenges when it comes to the protection of posted workers.</u>	the cross-border provision of services in the internal market.	[REDACTED]
Recital 3a				
14a		<u>(3a) Unfair competition through abusive practices and the infringement of the principle of equal treatment of posted workers distorts the internal market as it creates an unlevel playing field, putting the many bona fide employers that respect the law at a disadvantage.</u>		
Recital 4				
15	(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	(4) Reporting requirements play a key role in ensuring proper monitoring and correct enforcement of legislation, <u>while also allowing for better data collection and cross-border exchange of information, thereby also enabling more targeted inspections and</u>	(4) Reporting requirements play a key role in ensuring proper monitoring and correct enforcement of legislation. However, it is important to streamline those requirements, <del>in order to ensure to</del> <u>limit the administrative burden, while ensuring</u> that they fulfil the	[REDACTED]

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	<p>limit the administrative burden. The reporting obligations 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, in line with the Commission’s Communication on ‘Long-term competitiveness of the EU: looking beyond 2030’<sup>1</sup>, 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.</p> <p><sup>1</sup>. COM(2023) 168 final.</p>	<p><u><a href="#">evidence-based policy-making</a></u>. However, it is important to streamline <u><a href="#">national reporting systems and</a></u><del>those</del> requirements, in order to <del>ensure that they fulfil the purpose for which they were intended and to limit the</del><u><a href="#">reduce any unnecessary administrative burden for service providers including any duplication of requirements. This is of particular importance for undertakings situated in border regions</a></u>. The reporting-<del>obligations</del> <u><a href="#">system</a></u> 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, <u><a href="#">without prejudice to the adequate protection of posted workers provided for in Directive 96/71/EC and its enforcement under Directive 2014/67/EU</a></u>, in line with the Commission’s Communication on ‘Long-term competitiveness of the EU: looking beyond 2030’<sup>1</sup>, 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, <u><a href="#">while ensuring that Member States are equipped with</a></u></p>	<p>purpose for which they were intended <del>and to limit the administrative burden</del>. The reporting obligations and requirements in the submission of posting declarations to the competent authorities of the host Member State, established in accordance with Article 9(1), <i>point (a)</i>, of Directive 2014/67/EU should therefore be simplified <i>without prejudice to the adequate protection of posted workers’ rights under Directive 96/71/EC and its enforcement under Directive 2014/67/EU</i>, in line with the Commission’s Communication on ‘Long-term competitiveness of the EU: looking beyond 2030’<sup>1</sup>, 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.</p> <p><sup>1</sup>. [1] COM(2023) 168 final.</p>	<p>[REDACTED]</p>



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Recital 6				
17	<p>(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 Member States'). These Member States should then, if necessary, use the information received through IMI to make reasoned requests 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.</p>	<p>(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 Member States'). These Member States should then, if necessary, use the information received through IMI to make reasoned requests 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.</p>	<p>(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 (<del>participating</del> <i>instead of their own posting declaration in accordance with Article 9(1)(a) of Directive 2014/67/EU and national law and through which service providers should make available relevant documents to the Member States</i> → <i>making additional use of 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.</i> These Member States <del>should then, if necessary, could then</del> use the information <i>and documents</i> received through IMI to make reasoned requests in the IMI</p>	<p>[REDACTED]</p>

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			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.	
Recital 7				
18	(7) A simplification of the process of sending and updating posting declarations resulting from the creation of such a public interface should reduce administrative barriers to the freedom to provide services, including to the right of undertakings to provide services in another Member State with their own workers.	(7) <u>Given that the posting of workers has become an important form of intra-Union labour mobility</u> , a simplification of the process of sending and updating posting declarations resulting from the creation of such a public interface <del>should reduce</del> <u>is necessary to streamline and simplify</u> administrative <del>barriers</del> <u>requirements that have an impact on</u> to the freedom to provide services, including to the right of undertakings to provide services in another Member State with their own workers, <u>thereby facilitating intra-Union labour mobility and at the same time allowing for stronger protection of posted workers during their posting.</u>	(7) A simplification of the process of sending and updating posting declarations <u>and of making available relevant documents</u> resulting from the creation of such a public interface <del>should reduce</del> <u>aims at reducing</u> administrative <del>barriers</del> <u>obstacles</u> to the freedom to provide services, including to the right of undertakings to provide services in another Member State with their own workers.	
Recital 7a				
18a			(7a) <i>Although Member States are not required to provide for the use</i>	



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	<p>facilitate a better and more uniform application of Directive 96/71/EC as well as its enforcement in practice, reducing the cases on non-compliance with the posting rules due to the different procedures for submitting the posting declarations. It will facilitate carrying out of effective and adequate inspections by the Member States, contributing to the protection of posted workers' rights.</p>	<p>should facilitate a better and more uniform <u>and effective</u> application of Directive 96/71/EC as well as its enforcement in practice, <u>by improving the collection, cross-referencing and comparability of data via a standard form established by this Regulation and</u> reducing the cases on non-compliance with the posting rules due to the different procedures for submitting the posting declarations. It will facilitate carrying out of effective and adequate inspections by the Member States, contributing to the protection of posted workers' rights <u>and will contribute to the fight against the circumvention and abuse of posting rules, undeclared work and labour exploitation in the context of the posting of workers.</u></p>	<p><del>facilitate</del> <u>through the public interface aims at facilitating</u> a better <del>and more uniform</del> application of Directive 96/71/EC as well as its enforcement in practice, <del>reducing the cases on non-compliance with the posting rules due to the different procedures for submitting the posting declarations.</del> <u>It will facilitate.</u> <b>It aims at facilitating</b> carrying out of effective and adequate inspections by the Member States, contributing to the protection of posted workers' rights.</p>	<p>[Redacted]</p>
<b>Recital 9</b>				
20	<p>(9) A simplification of the process of sending and updating posting declarations should reduce the administrative burden of national competent authorities seeking mutual assistance from other Member States. To ensure that the responsible national competent authorities can provide each other with mutual assistance without undue delay and to simplify</p>	<p>(9) A simplification of the process of sending and updating posting declarations should reduce the administrative burden <u>and obstacles to cross-border enforcement</u> of national competent authorities seeking mutual assistance from other Member States <u>and improve data collection in order to enable evidence-based policy making.</u> To ensure that the</p>	<p>(9) A simplification of the process of sending and updating posting declarations <del>should reduce</del> <u>through the public interface aims at reducing</u> the administrative burden of national competent authorities seeking mutual assistance from other Member States. To ensure that the responsible national competent authorities <del>can</del> provide each other with mutual assistance</p>	<p>[Redacted]</p>

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	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 the proper functioning of the internal market.	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 <u>more effective enforcement and</u> the proper functioning of the internal market.	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 the proper functioning of the internal market.	[REDACTED]


Recital 10

21	(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, in order to comply with justified and proportionate obligations imposed by these Member States to declare posting of workers. This public interface should support Member States in	(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 <u>and the standard form established by this Regulation</u> to make a posting declaration to its responsible national competent authorities, in order to comply with justified and proportionate obligations imposed by these Member States to declare posting of workers <u>and to allow for</u>	(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 <u>and to upload documents at the request of their competent authorities, as a means, in order to comply with justified and proportionate</u> the obligations imposed by these Member States to	[REDACTED]
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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	<p>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.</p>	<p><u><i>factual controls in the workplace.</i></u> 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.</p>	<p>declare posting of workers <i>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.</i> 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 <i>and uploading of documents</i> where required. <i>The public interface should technically validate the data in the posting declarations to ensure to the extent possible the plausibility and technical accuracy of the entered information and the format of the data. Any user action of the service provider in the public interface concerning posting declarations and the data included thereof should be recorded and logged in order to provide full transparency and traceability. 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</i></p>	<p>[Redacted]</p>

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			<p><i>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. Links to Member States relevant websites for the submission of a motivated notification in accordance with Directive 96/71/EC should be made publicly available by the Commission on the public interface.</i></p>	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
Recital 10a				
g	21a			<p><u><i>(10a) Member States may request to additionally receive posting declarations directly in the national back-end system. In that case Commission and Member States should cooperate on technical aspects.</i></u></p>
Recital 10b				
y	21b	<p><u><i>(10a) The public interface should allow, where possible, for the validation of the data in the posting declarations from a technical point of view to ensure the technical accuracy of the information provided and the format of the data. Such validation</i></u></p>		<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
		<u>could be carried out by allowing for cross-referencing of information against relevant Union or national registries, such as address or business registries. User action in the public interface should be logged in order to ensure transparency and tracking of modifications made to posting declarations.</u>		[REDACTED]	
Recital 10b					
21c		<u>(10b) Currently, the posting of workers and social security coordination follow different notification procedures. Companies are required to use different portals to submit posted workers' notifications and apply for a portable document A1. The Commission should explore possibilities of extending data reusability and the use of the public interface to A1 certificate applications and to technically merge them into one interface in the future.</u>		[REDACTED]	
Recital 10c					
21d		<u>(10c) The public interface offers potential to disseminate information provided by Member States in accordance with Article</u>	[REDACTED]		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<p><u>5(2), point (a), of Directive 2014/67/EU. Since the applicable labour and social security law and the exemptions from the obligations to declare a posting vary among Member States, the public interface should ensure that service providers have access to the website which provides information on to the national applicable labour, social security and fiscal law to be applied for posting workers, including the relevant exemptions to declare a posting, in all the Member States. Access to that information is of particular importance to SMEs.</u></p>		<p>[REDACTED]</p>
Recital 11				
22	<p>(11) Interoperable and reusable solutions, such as those provided for in Regulation (EU) No 910/2014 as regards establishing the European Digital Identity Framework<sup>1</sup>, should be used 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 Wallet<sup>2</sup>.</p> <p>1. Regulation (EU) No 910/2014 as regards establishing the European Digital Identity Framework (OJ L, 2024/1183, 30.4.2024,</p>	<p>(11) Interoperable and reusable solutions, such as those provided for in Regulation (EU) No 910/2014 as regards establishing the European Digital Identity Framework<sup>1</sup>, should be used 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 Wallet<sup>2</sup>. <u>The Commission should ensure the compatibility of the public interface with different devices to enhance its accessibility and effectiveness.</u></p>	<p>(11) Interoperable and reusable solutions, such as those provided for in Regulation (EU) No 910/2014 as regards establishing the European Digital Identity Framework<sup>1</sup>, should be used as they can facilitate how service providers identify themselves. <del>Once available, workers should be able to receive notifications about posting declarations concerning them via the European Digital Identity Wallet<sup>2</sup>.</del></p> <p>1. Regulation (EU) No 910/2014 as regards establishing the European Digital Identity Framework (OJ L, 2024/1183, 30.4.2024,</p>	<p>[REDACTED]</p>


	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	<p>ELI:  <a href="http://data.europa.eu/eli/reg/2024/1183/oj">http://data.europa.eu/eli/reg/2024/1183/oj</a>.            2. Regulation (EU) No 910/2014 as regards establishing the European Digital Identity Framework (OJ L, 2024/1183, 30.4.2024, ELI:  <a href="http://data.europa.eu/eli/reg/2024/1183/oj">http://data.europa.eu/eli/reg/2024/1183/oj</a>).</p>	<p>1. Regulation (EU) No 910/2014 <del>as regards establishing of</del> the European <del>Digital Identity Framework (OJ L, 2024/1183, 30.4.2024, ELI: <a href="http://data.europa.eu/eli/reg/2024/1183/oj">http://data.europa.eu/eli/reg/2024/1183/oj</a></del> 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). <del>eu/eli/reg/2024/1183/oj</del>.</p> <p>2. <u>Regulation (EU) 2024/1183 of the European Parliament and of the Council of 11 April 2024 amending</u> Regulation (EU) No 910/2014 as regards establishing the European Digital Identity Framework (OJ L, 2024/1183, 30.4.2024, ELI: <del><a href="http://data.europa.eu/eli/reg/2024/1183/oj">http://data.europa.eu/eli/reg/2024/1183/oj</a></del>).</p>	<p>ELI:  <a href="http://data.europa.eu/eli/reg/2024/1183/oj">http://data.europa.eu/eli/reg/2024/1183/oj</a>.            2. <del>Regulation (EU) No 910/2014 as regards establishing the European Digital Identity Framework (OJ L, 2024/1183, 30.4.2024, ELI: <a href="http://data.europa.eu/eli/reg/2024/1183/oj">http://data.europa.eu/eli/reg/2024/1183/oj</a></del>.</p>	<p>[Redacted]</p>
<b>Recital 11a</b>				
22a			<p><i>(11a) While setting up the public interface, 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, including by exploring synergies in terms of data reusability. The Commission should also explore the possibility of extending the scope of the public interface to declarations by service providers established outside the Union and sending workers to a Member State to provide services and to allow</i></p>	<p>[Redacted]</p>



	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	time from the date of entry into force of this Regulation.	way of that interface, Member States should ensure that such a requirement is 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, at any time from the date of entry into force of this Regulation.	<i>before requiring service providers to make available relevant documents</i> by way of that interface. Member States should ensure that such a requirement is 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 <i>for posting declarations, and where applicable, also for uploading of documents</i> , at any time from the date of entry into force of this Regulation. <i>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.</i>	[REDACTED]
<b>Recital 13</b>				
24	(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	(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	(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	[REDACTED]



	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<u><i>include clear guidance and support features to help service providers complete the declaration efficiently and correctly.</i></u>	that public interface. <i>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. This should remove the need for an obligation on the service provider to provide a translation of these documents.</i>	[REDACTED]
Recital 14a				
y	25a	<u><i>(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.</i></u>		[REDACTED]
Recital 14b				
y	25b	<u><i>(14b) In accordance with national law, several Member States use national reporting interfaces for declarations that do not fall within the scope of Directive 2014/67/EU, such as declarations from service providers established in third countries that post workers to a Member State or declarations relating to self-employed persons in certain sectors of the labour</i></u>		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<p><u>market. In order to encourage these Member States to make use of the public interface established by this Regulation and avoid the need to maintain costly parallel interfaces for national declaration requirements, Member States should be able to use the public interface for the declarations of service providers established in third countries and self-employed persons, where applicable.</u></p>		

Recital 15


26	<p>(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 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 electronic public interface should consist of information</p>	<p>(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, <u>the applicable Union law and the national measures transposing Directive 2014/67/EU</u>, and in order to allow for the provision of <del>the</del> information that may be necessary to allow factual controls at the</p>	<p>(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, <u>the applicable Union law and the national laws implementing Directive 2014/67/EU</u>, and in order to allow for the provision of the information that may be necessary to allow factual controls at the workplace,</p>	<p>[REDACTED]</p>
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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	<p>related to the service provider, the posted worker, the posting assignment, the contact person for competent authorities and the service recipient. The standard form should be available in all EU languages. 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.</p>	<p>workplace, <del>the</del> <u>a</u> standard form used by the <u>multilingual</u> electronic public interface should consist of information related to the service provider, the posted worker, the posting assignment, the contact <del>person</del> <u>persons</u> for competent authorities <u>and social partners</u>, and the service recipient. The <u>public interface, including the</u> standard form, should be <u>user-friendly free of charge and</u> available in all EU languages. <u>The standard form should be set out in the Annex to this Regulation and should consist of a maximum set of information points</u>. 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. <u>The choice to request fewer elements contained in the standard form should be possible to apply generally for service providers posting to a Member State or limited to posting declarations in specific economic sectors.</u></p>	<p>the standard form used by the electronic public interface should consist of information related to the service provider, the posted worker, the posting assignment, the contact <del>person</del> <u>persons</u> for competent authorities and <u>for social partners, and</u> the service recipient. <del>The standard form should be available in all EU languages. 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.</del></p>	<p>[REDACTED]</p>
Recital 15a				





	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	<p>1. 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: <a href="http://data.europa.eu/eli/reg/2011/182/oj">http://data.europa.eu/eli/reg/2011/182/oj</a>).</p>	<p><u><i>Member State to amend the standard form should be examined by the Commission to ensure it is justified and proportionate in accordance with Article 9(1), point (a), of Directive 2014/67/EU. If the Commission decides not to act on the request of a Member State, it should explain, in a reasonable time, the reasons for its decision.</i></u></p> <p><del><i>1. 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: <a href="http://data.europa.eu/eli/reg/2011/182/oj">http://data.europa.eu/eli/reg/2011/182/oj</a>).</i></del></p>	<p><i>Member State</i>, should be allowed to request the Commission to amend the standard form accordingly.</p> <p>1. [1] 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: <a href="http://data.europa.eu/eli/reg/2011/182/oj">http://data.europa.eu/eli/reg/2011/182/oj</a>).</p>	
	Recital 16a			
27a		<p><u><i>(16a) In order to amend the standard form established by this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to add, amend or delete the information required. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level and with social partners, and that those</i></u></p>		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<p><u>consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time and systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</u></p>		

**Recital 17**

28	<p>(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 the divergencies in the applicable rules and regulations of the Member States. It should be sufficient for service providers to comply with the declaration obligations in Member States making use of the public interface. 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</p>	<p>(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 <u>streamline and</u> reduce the divergencies in the applicable rules and regulations of the Member States. It should be sufficient for service providers to comply with the declaration obligations in Member States making use of the public interface. There should be no additional information requirements <u>referred to in Article 9(1) of Directive 2014/67/EU</u> imposed at national level in these Member States. The setting up of the <u>multilingual</u></p>	<p>(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 the divergencies in the applicable rules and regulations of the Member States. It should be sufficient for service providers to comply with the <i>posting</i> declaration obligations in Member States making use of the public interface. <i>For the purpose of the posting declaration</i>, there should be no additional information requirements imposed at national level in these Member States. The <del>setting up</del> use of the public interface <del>connected to IMI</del></p>	<p>[REDACTED]</p>
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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	<p>this interface to national competent authorities is instrumental and ancillary to the approximation of the legislation of the Member States, ensuring the functioning of the internal market.</p>	<p>public interface connected to IMI with its standard form and the making available of this interface to national competent authorities is instrumental and ancillary to the approximation of the legislation of the Member States, ensuring the functioning of the internal market <u>and will contribute to better cross-border enforcement and administrative cooperation.</u></p>	<p><i>with its standard form and the for the uploading of documents should be sufficient for service providers to comply with any obligation of keeping and/or making these documents available of this interface to national competent authorities is instrumental and ancillary to the approximation of the legislation of the imposed by Member States pursuant to Article 9(1) (b), (c) and (d) of Directive 2014/67/EU. There should be no requirements imposed at national level in these Member States regarding making these documents available once they have been requested and made available by the service provider through the public interface in IMI, ensuring the functioning of the internal market. This does not affect the possibility for Member States to request further information and documents to ensure effective monitoring of compliance with the EU legislation on posting of workers in accordance with Article 9 of Directive 2014/67/EU.</i></p>	<p>[REDACTED]</p>
Recital 18				
29	<p>(18) The establishment of a public interface provides a streamlined framework for posting declarations that offers significant incentives for</p>	<p>(18) <del>The establishment of A single public interface provides a streamlined framework for posting declarations that offers significant</del></p>	<p>(18) <del>The establishment of a public interface provides a streamlined framework for posting declarations that offers significant incentives for</del></p>	<p>[REDACTED]</p>

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	<p>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.</p>	<p><del>incentives for Member States to participate. It aligns with Member States' own interest in enhancing administrative cooperation, simplifying administrative procedures, and protecting for</del> <u>declaring posted</u> workers' rights. <del>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</del> <u>in the Union will only achieve its full potential in deepening the internal market, strengthening the competitiveness of Union undertakings and ensuring</u> effective administrative cooperation for protecting workers' rights <u>and eradicating fraud and undeclared postings if as many Member States as possible participate in it. A single system for declaring posted workers, which is applicable in all Member States, 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</u></p>	<p><del>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</del> protecting workers' rights.</p>	



	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	<p>certain personal data. Processing of personal data should be carried out in accordance with Union law on the protection of personal data laid down in Regulations (EU) 2016/679<sup>1</sup> and (EU) 2018/1725<sup>2</sup> of the European Parliament and of the Council. 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.</p> <p>1. 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: <a href="http://data.europa.eu/eli/reg/2016/679/oj">http://data.europa.eu/eli/reg/2016/679/oj</a>).</p> <p>2. 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: <a href="http://data.europa.eu/eli/reg/2018/1725/oj">http://data.europa.eu/eli/reg/2018/1725/oj</a>).</p>	<p>certain personal data, <u>as regards posted workers as well as service providers, their contractors and service recipients as well as their relevant contact persons and legal representatives</u>. Processing of personal data should be carried out in accordance with Union law on the protection of personal data laid down in Regulations (EU) 2016/679<sup>1</sup> and (EU) 2018/1725<sup>2</sup> of the European Parliament and of the Council. 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.</p> <p>1. 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: <a href="http://data.europa.eu/eli/reg/2016/679/oj">http://data.europa.eu/eli/reg/2016/679/oj</a>).</p> <p>2. 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</p>	<p><del>2014/67/EU</del> <i>The standard form and the documents uploaded 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) 2016/679<sup>1</sup> and (EU) 2018/1725<sup>2</sup> of the European Parliament and of the Council. <b>For that purpose categories of personal data that may be processed should be defined in this Regulation.</b> 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.</i></p> <p>1. [1] 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: <a href="http://data.europa.eu/eli/reg/2016/679/oj">http://data.europa.eu/eli/reg/2016/679/oj</a>).</p> <p>2. [2] Regulation (EU) 2018/1725 of the European Parliament and of the Council</p>	<p>[REDACTED]</p>

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<p>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: <a href="http://data.europa.eu/eli/reg/2018/1725/oj">http://data.europa.eu/eli/reg/2018/1725/oj</a>).</p>	<p>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: <a href="http://data.europa.eu/eli/reg/2018/1725/oj">http://data.europa.eu/eli/reg/2018/1725/oj</a>).</p>	<p>[REDACTED]</p>
Recital 20				
31	<p>(20) The information from the posting declarations 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.</p>	<p>(20) The information from the posting declarations <u>and uploaded documents</u> should be kept in the public interface <u>for a maximum period of 10 years after the end date of the posting period. It should be possible to keep that information for a longer period in national back-end systems, in accordance with Regulation (EU) 2016/679 as well as national law and practice. Information related to the service provider's reserved area,</u> for the purpose of reusing it in subsequent posting declarations, <u>should be kept in the public interface</u> for a maximum <del>period</del> of 36 months after the <del>end date of the latest submitted</del> <u>posting period declaration</u>.</p>	<p>(20) The information from the posting declarations <u>and uploaded documents</u> 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. <u>The information may be kept in national back-end systems for a longer period, in accordance with Regulation (EU) 2016/679, national law and practices.</u></p>	<p>[REDACTED]</p>
Recital 21				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
32	(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.	(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.	(21) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on <del>5 September 2024</del> <i>January 2025.</i>	(21) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on <del>5 September 2024</del> <i>January 2025.</i>
Recital 22				
33	(22) Where social partners play a role in the monitoring of compliance with posting rules, competent authorities should be allowed to provide national social partners 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 by other means than IMI.	(22) <del>Where</del> <i>In many Member States, social partners and other entities and organisations, including local, regional and national authorities in the context of public procurement</i> play a role in the monitoring of compliance with posting rules. <i>In accordance with national law and practice, for the purpose of checking compliance with posting rules, including applicable collective agreements, national</i> competent authorities should <i>therefore</i> be allowed to <i>make available to provide</i> national social partners <i>and bodies acting on their behalf, as well as to other actors with an enforcement function, including local, regional and national authorities,</i> <del>with the</del> relevant information which has been shared via IMI. <del>for the sole purpose of checking compliance with posting rules while respecting Regulation (EU) 2016/679.</del> The relevant information should be provided to	(22) Where social partners play a role in the monitoring of compliance with posting rules, competent authorities should be allowed to provide national social partners 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 by other means than IMI.	[REDACTED]

	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement
		<del>social partners</del> <u>these actors</u> by other means than IML.		
Recital 22a				
33a		<u>(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, information in submitted posting declarations in the public interface should thus be made available to the European Labour Authority (ELA).</u>		
Recital 23				
34	(23) The European Labour Authority ('ELA') should support Member States' national competent authorities and service providers in the implementation and use of the public interface in accordance with its mandate under Regulation (EU) 2019/1149 <sup>1</sup> .	(23) The <del>European Labour Authority ('ELA')</del> <u>ELA</u> should support Member States' national competent authorities and service providers, <u>in particular SMEs</u> , in the implementation and use of the public interface in accordance with	(23) The European Labour Authority ('ELA') should support Member States' national competent authorities and service providers, <u>including SMEs</u> , in the implementation and use of the public interface in accordance with	(23) The European Labour Authority ('ELA') should support Member States' national competent authorities and service providers, <u>in particular SMEs</u> , in the implementation and use of the public interface in accordance with

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	1. 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: <a href="http://data.europa.eu/eli/reg/2019/1149/oj">http://data.europa.eu/eli/reg/2019/1149/oj</a> )	its mandate under Regulation (EU) 2019/1149 <sup>1</sup> .  1. 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 ( <i>Text with relevance for the EEA and for Switzerland</i> ) (OJ L 186, 11.7.2019, p. 21, ELI: <a href="http://data.europa.eu/eli/reg/2019/1149/oj">http://data.europa.eu/eli/reg/2019/1149/oj</a> ).	its mandate under Regulation (EU) 2019/1149 <sup>1</sup> .  1. 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: <a href="http://data.europa.eu/eli/reg/2019/1149/oj">http://data.europa.eu/eli/reg/2019/1149/oj</a> )	its mandate under Regulation (EU) 2019/1149 <sup>1</sup> .  1. 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 ( <i>Text with relevance for the EEA and for Switzerland</i> ) (OJ L 186, 11.7.2019, p. 21, ELI: <a href="http://data.europa.eu/eli/reg/2019/1149/oj">http://data.europa.eu/eli/reg/2019/1149/oj</a> ).
<b>Recital 24</b>				
35	(24) This regulation should be without prejudice to Directive 2014/67/EU and Directive 96/71/EC.	(24) This regulation should be without prejudice to Directive 2014/67/EU and Directive 96/71/EC.	(24) This regulation should be without prejudice to Directive 2014/67/EU and Directive 96/71/EC. <i>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.</i>	[REDACTED]
<b>Formula</b>				
36	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:
<b>Article 1</b>				
37	Article 1 Public interface connected to the Internal Market Information System	Article 1 Public interface connected to the Internal Market Information System	Article 1 Public interface connected to the Internal Market Information System	Article 1 Public interface connected to the Internal Market Information System
<b>Article 1(1)</b>				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
38	<p>1. In order to contribute to the proper functioning of the internal market by reducing administrative barriers to the freedom to provide services, while facilitating the effective monitoring by Member States of compliance with EU legislation aimed at ensuring the protection of posted workers' rights, and supporting the related administrative cooperation between the national competent authorities in the Member States, 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 ('the public interface').</p>	<p>1. In order to contribute to the proper functioning of the internal market by <u>streamlining and simplifying</u> <del>reducing</del> administrative <del>barriers to</del> <u>requirements that have an impacting on</u> the freedom to provide services, <del>while facilitating to improve</del> the effective <u>enforcement and</u> monitoring <del>by Member States</del> of compliance with <del>EU legislation</del> <u>Union law</u> aimed at ensuring the protection of posted workers' rights, <del>and supporting to strengthen</del> the related administrative cooperation between the national competent authorities in the Member States, <u>and to enhance data collection on the posting of workers</u>, 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 <u>and, where applicable, for the making available of relevant documents</u> ('the public interface').</p>	<p>1. In order to contribute to the proper functioning of the internal market by reducing administrative <del>barriers</del> <u>obstacles</u> to the freedom to provide services, while facilitating the effective monitoring by Member States of compliance with EU legislation aimed at ensuring the protection of posted workers' rights, and supporting the related administrative cooperation between the national competent authorities in the Member States, 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 <u>and, where applicable, for making available relevant documents</u> ('the public interface').</p>	<p>1. In order to contribute to the proper functioning of the internal market by reducing administrative <del>barriers</del> <u>obstacles</u> to the freedom to provide services <u>and by simplifying administrative requirements</u>, while <del>facilitating improving</del> the effective monitoring by Member States of compliance with <del>EU legislation</del> <u>and enforcement of Union law</u> aimed at ensuring the protection of posted workers' rights, <del>and supporting strengthening</del> the related administrative cooperation between the national competent authorities in the Member States <u>within the meaning of Article 3 of Directive 2014/67/EU ("competent authorities")</u>, <u>and enhancing data collection on the posting of workers</u>, 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 <u>and, where applicable, for making available relevant documents</u> ('the public interface'). <u>The public interface shall be made available by the Commission to the service providers free of charge.</u></p>
Article 1(2)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
39	2.Member States may opt to make use of this public interface.	2.Member States may opt to make use of this public interface.	2.Member States may <del>opt</del> <b>decide</b> to make use of <del>this</del> <b>the</b> public interface <b>referred to in paragraph 1.</b>	2.Member States may <del>opt</del> <b>decide</b> to make use of <del>this</del> <b>the</b> public interface <b>referred to in paragraph 1.</b>
Article 1(3)				
40	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 a declaration based on a multilingual standard form through the public interface. Where a Member State provides for the use of the public interface, that declaration shall replace any pre-existing one required under national law.	3.The <del>legislation</del> <b>law</b> 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 <b>at the latest at the commencement of the service provision</b> a declaration based on a multilingual standard form through the public interface. <b>A Member State may provide for service providers to make available copies of relevant documents within a reasonable period of time through the public interface.</b> Where a Member State provides for the use of the <b>multilingual</b> public interface, that declaration shall replace any pre-existing one required under national law.	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 a declaration based on a multilingual standard form through the public interface. <b>The legislation of a Member State may additionally, where a Member State provides for the use ofso decides, 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), upon a request by the responsible national competent authority, by uploading these documents within a reasonable period of time in the public interface, that declaration shall replace any pre-existing one required under national law.</b>	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 <b>at the latest at the commencement of the service provision</b> a declaration based on a multilingual standard form through the public interface. <b>WhereThe legislation of a Member State provides for the use ofmay 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.</b>
Article 1(3a)				
40a			<b>3a. Without prejudice to Article 9 of Directive 2014/67/EU, where a Member State decides to impose</b>	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			<p><i>the obligation to make the declaration of posting of workers pursuant to Article 9(1)(a) and to make available relevant documents pursuant to Article 9(1)(b), (c) and (d) of Directive 2014/67/EU and where that Member State decides to make use of the public interface referred to in paragraph 1 of this Article, the declaration and the making available of documents referred to in paragraph 3 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.</i></p>	
Article 2				
41	Article 2 Functionalities of the public interface	Article 2 Functionalities of the public interface	Article 2 Functionalities of the public interface	Article 2 Functionalities of the public interface
Article 2(1)				
42	1. The public interface shall provide functionality for:	1. The public interface <u>shall be free of charge and available in all the official languages of the Union institutions.</u> It shall provide functionality for:	1. The public interface shall provide <del>functionality</del> functionalities for:	1. The public interface shall <u>be available in all the official languages of the Union and shall provide functionality</u> <del>for</del> functionalities for:
Article 2(1), point (a)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
g	43	(a) creating an account for secure access to the service provider's reserved area;	(a) creating an account for secure access to the service provider's reserved area, <u>allowing the service providers to also save relevant data for future posting declarations</u> ;	(a) creating an account for secure access to the service provider's reserved area, <u>including storing of data for reuse</u> ;
Article 2(1), point (b)				
g	44	(b) ensuring appropriate logging of user activity;	(b) ensuring appropriate logging of user activity, <u>including the transparency of changes made to posting declarations</u> ;	(b) ensuring appropriate <u>and transparent</u> logging of <u>any</u> user activity, <u>including modifications made to posting declarations</u> ;
Article 2(1), point (c)				
y	45	(c) creating, submitting and managing declarations of posted workers;	(c) creating, submitting and managing declarations of posted workers, <u>including, where possible, validating data technically through relevant Union and national public registers</u> ;	[REDACTED]
Article 2(1), point (d)				
y	46	(d) transmitting a copy of the posting declaration to the posted worker;	(d) transmitting <u>electronically a retainable extract <del>a copy</del></u> of the posting declaration to the posted worker <u>together with a link to the single official national website referred to in Article 5(2), point (a), of Directive 2014/67/EU</u> ;	[REDACTED]
Article 2(1), point (da)				
y	46a		<u>(da) transmitting electronically a copy of the posting declaration to the service recipient</u> ;	<u>(da) allowing for uploading of relevant documents listed in Article 9 (1) (b) of Directive</u>

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			<i>2014/67/EU, after the posting period has started and provided that the related posting declaration has been submitted in the public interface;</i>	
Article 2(1), point (db)				
46b		<u><i>(db) submitting relevant supporting documents in connection with a posting declaration and making submitted documents available in IMI to the responsible national competent authorities of the host Member State;</i></u>		<u><i>(db) allowing for uploading and submission of relevant documents listed in Article 9 (1) (b) of Directive 2014/67/EU, after the posting period has started and provided that the related posting declaration has been submitted in the public interface;</i></u>
Article 2(1), point (e)				
47	(e) making submitted information available in IMI to the responsible national competent authorities of the host Member State for administrative cooperation pursuant to points 6 and 7 of the Annex to Regulation (EU) No 1024/2012.	(e) making submitted information available in IMI to the responsible national competent authorities of the host Member State, <u><i>the Member State of establishment and, following a reasoned request, to the responsible national competent authorities of another Member State,</i></u> for administrative cooperation pursuant to points 6 and 7 of the Annex to Regulation (EU) No 1024/2012-;	(e) making submitted information available in IMI to the responsible national competent authorities of <i>both</i> the host Member State <i>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</i> for administrative cooperation pursuant to points 6 and 7 of the Annex to Regulation (EU) No 1024/2012-;	(e) making submitted information available in IMI to the responsible national competent authorities of <u><i>both</i></u> the host Member State <u><i>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</i></u> for administrative cooperation pursuant to points 6 and 7 of the Annex to Regulation (EU) No 1024/2012-;
Article 2(1), point (ea)				
47a			<u><i>(ea) making uploaded documents available in IMI to the responsible national competent authorities of the host Member State for</i></u>	<u><i>(ea) making uploaded documents available in IMI to the responsible national competent authorities of the host Member State for</i></u>

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			<i>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.</i>	<u><a href="#">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.</a></u>
Article 2(1), point (f)				
48	(f) allowing one or more national 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 directly in the national back-end system upon the request of that Member State.	(f) allowing one or more national 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 directly in the national back-end system upon the request of that Member State.;	(f) allowing one or more national 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, <i>and all subsequent changes thereof</i> , directly in the national back-end system upon the request of that Member State; <i>and allowing one or more national authorities of the Member State of establishment of the service provider that are competent authorities within the meaning of Article 3 of Directive 2014/67/EU to receive submitted information directly in their national back-end system upon the request of that Member State.</i>	(f) allowing one or more <del>national</del> <u>competent</u> authorities of the host Member State <del>that are competent authorities within the meaning of Article 3 of Directive 2014/67/EU</del> , to additionally receive posting declarations, <u>and all subsequent changes thereof</u> , directly in the national back-end system upon the request of that Member State.;
Article 2(1), point (fa)				
48a				<u><a href="#">(fa) allowing one or more competent authorities of the Member State of establishment of the service provider to receive submitted information, and all</a></u>

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				<u>subsequent changes thereof, directly in their national back-end system upon the request of that Member State;</u>
Article 2(1), point (fb)				
g	48b	<u>(fa) ensuring, in line with Article 5(2), point (a), of Directive 2014/67/EU, that service providers have access to the website which provides information on the national applicable labour, social and fiscal law to be applied for posting workers, including the relevant exemptions to declare a posting, in all the Member States;</u>	<u>(fa) 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.</u>	<u>(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.</u>
Article 2(1), point (fc)				
g	48c			<u>(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;</u>
Article 2(1), point (fb)				
y	48d	<u>(fb) where applicable, under Member States' national law,</u>		

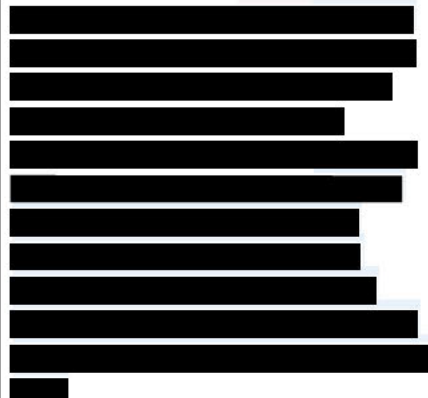
	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<u>allowing service providers established in third countries and self-employed persons to submit declarations for the purpose of fulfilling national posting declaration requirements that do not fall within the scope of Directive 2014/67/EU;</u>		
Article 2(2)				
y	49 2.The Commission shall be responsible for the development, maintenance and operation of the public interface.	2.The Commission shall be responsible for the development, maintenance and operation of the public interface <u>and provide technical support to Member States, including requested necessary functionalities by Member States in accordance with Article 2(1), point (f).</u>	2.The Commission shall be responsible for the development, maintenance and operation of the public interface.	
Article 2(3)				
g	50 3.The Commission shall ensure accessibility for persons with disabilities of the public interface and its content..	3.The Commission shall ensure <del>accessibility for persons with disabilities of that</del> the public interface and its content- <u>are user friendly as well as accessible for persons with disabilities in accordance with Directive (EU) 2016/2102.</u>	3.The Commission shall ensure accessibility for persons with disabilities of the public interface and its content.-	3.The Commission shall ensure accessibility for persons with disabilities of the public interface and its content.-
Article 3				
g	51 Article 3 Making use of the public interface by the Member States	Article 3 Making use of the public interface by the Member States	Article 3 Making use of the public interface by the Member States	Article 3 Making use of the public interface by the Member States
Article 3(1)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
52	1.A Member State that opts to make use of the public interface shall inform the Commission six months before the date from which it intends to use the public interface.	1.A Member State that opts to make use of the public interface shall inform the Commission <u>no later than</u> six months before the date from which it intends to use the public interface.	1.A Member State that <del>opts</del> <i>decides</i> to make use of the public interface shall inform the Commission <b>at least</b> six months before the date from which it intends to use the public interface.	1.A Member State that <del>opts</del> <i>decides</i> to make use of the public interface shall inform the Commission <b>at least</b> six months before the date from which it intends to use the public interface.
Article 3(2)				
53	2.A Member State opting 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 in due time before such use.	2.A Member State opting 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 in due time before such use.	2.A Member State <del>opting</del> <i>deciding</i> 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 <b>and, where relevant, for the uploading of documents</b> in due time before such use.	2.A Member State <del>opting</del> <i>deciding</i> 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 <b>and, where relevant, for the uploading of documents</b> in due time before such use.
Article 3(3)				
54	3.Member States making use of the public interface shall not impose any additional declaration or information requirements on the service providers submitting the posting declaration through the public interface.	3.Member States making use of the public interface shall not impose any <del>additional</del> <u>parallel</u> declaration or information requirements <u>for posting declarations or uploading documents related to Article 9(1) of Directive 2014/67/EU</u> on the service providers submitting the posting declaration, <u>or for making documents available</u> through the public interface. <u>This is without prejudice to the possibility for</u>	3.Member States making use of the public interface shall not impose any additional <b>posting</b> declaration or information requirements <b>within the meaning of Article 9(1)(a) of Directive 2014/67/EU</b> on the service providers submitting the posting declaration through the public interface. <b>Member States shall not impose any additional requirements regarding keeping or making documents available</b>	3.Member States making use of the public interface shall not impose any additional <b>posting</b> declaration or information requirements <b>within the meaning of Article 9(1)(a) of Directive 2014/67/EU</b> on the service providers submitting the posting declaration through the public interface. <b>Member States shall not impose any additional requirements regarding keeping or making documents available</b>

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<u>enforcement authorities or other bodies to impose other administrative requirements and to request additional information where appropriate when exercising control, compliance and enforcement functions in accordance with national law and practice.</u>	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.	<u>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.</u>
Article 3(4)				
55	4. 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 the public interface.	4. <u>The Commission shall make available on the public interface</u> the list of Member States making use of <del>the public interface</del> <u>it</u> as referred to in paragraph 3 <del>shall be made publicly available by the Commission on</del> . <u>When a Member State decides not to make use of the public interface pursuant to paragraph 1, the public interface shall make available the link to that Member State's posting declaration website, if applicable, which shall be interoperable with the IMI.</u>	4. 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 the public interface. <i>When a Member State decides not to make use of the public interface, the public interface shall make available the link to that Member State's posting declaration website, if applicable.</i>	4. <u>The Commission shall make available on the public interface</u> the list of Member States making use of the public interface as referred to in paragraph 3 <del>shall be made publicly available by the Commission on</del> . <u>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.</u>
Article 3(5)				
56	5. A Member State may discontinue making use of the public interface. That Member State shall inform the Commission thereof six months before the intended end date of the use of the public interface.	5. A Member State may discontinue making use of the public interface. That Member State shall inform the Commission thereof six months before the intended end date of the use of the public interface.	5. A Member State may discontinue making use of the public interface. That Member State shall inform the Commission <del>thereof six</del> <u>at least two</u> months before the intended end date of the use of the public interface.	5. A Member State may discontinue making use of the public interface. That Member State shall inform the Commission thereof <del>six</del> <u>at least three</u> months before the intended end date of the use of the public interface. <u>The Commission shall make available on the public</u>

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				<a href="#">interface the information about the discontinued use of the public interface by the concerned Member State.</a>
Article 4				
g	57 Article 4 Standard form	Article 4 Standard form	Article 4 Standard form	Article 4 Standard form
Article 4(1)				
y	58 1. Without prejudice to paragraph 5 the standard form shall consist of information related to:	1. <del>Without prejudice to paragraph 5</del> <u>In accordance with Article 9(1), point (a), of Directive 2014/67/EU and based on national laws implementing that Directive,</u> the standard form shall consist of <u>the information</u> <del>related</del> <u>set out in Annex I. That information shall relate</u> to:	1. <del>Without prejudice to paragraph 5</del> <u>In accordance with Article 9(1) a of Directive 2014/67/EU and based on national laws implementing that Directive,</u> the standard form shall consist <u>in a list</u> of information <u>that is necessary to allow factual controls at the workplace within the meaning of Article 9(1) of Directive 2014/67/EU</u> and related to:	
Article 4(1), point (a)				
y	59 (a) the service provider;	(a) the service provider;	(a) the service provider, <i>including the legal representative or other person representing the service provider in administrative and legal proceedings, and the information referred to in Article 5(3)(a);</i>	
Article 4(1), point (b)				
y	60 (b) the posted worker;	(b) the posted worker;	(b) the posted <del>worker</del> <i>workers, including the anticipated number of clearly identifiable posted workers, the description of the</i>	

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			<i>work performed, and the information referred to in Article 5(3) (b) and (c):</i>	
Article 4(1), point (c)				
y	61 (c) the posting assignment;	(c) the posting assignment;	(c) the posting assignment, <i>including the anticipated duration, envisaged beginning and end date of the posting, the nature of the services justifying the posting, collective accommodation and working conditions, and the information referred to in Article 5(3)(d);</i>	y
Article 4(1), point (d)				
y	62 (d) the contact person to liaise with the competent authorities;	(d) the <del>contact person to liaise with the competent authorities</del> <u>persons designated pursuant to Article 9(1), points (e) and (f), of Directive 2014/67/EU;</u>	(d) the contact <del>person to liaise with the competent authorities</del> <u>persons referred to in Article 9(1) points e and f of Directive 2014/67/EU, including the information referred to in Article 5(3)(e);</u>	y
Article 4(1), point (e)				
y	63 (e) the service recipient.	(e) the service recipient.	(e) the service recipient, <i>including the identity of the service recipient and its contact details.</i>	y
Article 4(1a)				
y	63a		<i>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</i>	y

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			<i>also consist of information related to the user undertaking, including the identity of the user undertaking and the legal representative or other person representing the user undertaking in administrative and legal proceedings.</i>	
Article 4(2)				
64	2. The Commission shall establish the standard form referred to in paragraph 1 of this Article by way of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 8(2).	2. The Commission <del>shall establish</del> <u>is empowered to adopt delegated acts in accordance with Article 7a in order to amend</u> the standard form referred to in paragraph 1 of this Article <del>by way of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 8(2).</del>	2. The Commission shall establish the standard form referred to in paragraph 1 of this Article by way of implementing acts. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 8(2).	
Article 4(3)				
65	3. A Member State opting 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.	3. A Member State opting 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.	3. A Member State <del>opting</del> <i>deciding</i> 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. <i>On the basis of this information, the Commission shall amend the standard form for the relevant Member State in accordance with the procedure referred to in Article 8(2).</i>	
Article 4(4)				



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66	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.	4. <del>Any</del> Member <del>States</del> <u>State</u> may submit to the Commission <del>suggestions</del> <u>requests</u> for amendment(s) of the standard form <u>as established in Annex I, explaining the reasons for those request</u> . The Commission shall examine, <u>within a reasonable time, such requests</u> <del>such suggestions</del> with the view to amending <u>the standard form</u> , where appropriate <u>and provided that those requests are justified and proportionate in accordance with Article 9(1), point (a), of Directive 2014/67/EU</u> ; <del>the standard form</del> .	4. <del>Any</del> Member <del>States</del> <u>State</u> may submit to the Commission suggestions for amendment(s) of the standard form, <u>explaining the reasons for the suggestion</u> . The Commission shall examine, <u>in a reasonable time</u> , such suggestions with the view to amending, where appropriate, the standard form.	
Article 4(5)				
67	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.	5. The Commission may, based on a <del>suggestion</del> <u>request</u> by a Member State or on its own initiative, <del>propose an amendment</del> <u>adopt a delegated act to amend</u> of the standard form, <del>in accordance with the procedure referred to in paragraph 2 of this Article</del> .	5. The Commission may, based on a suggestion by a Member State or on its own initiative, <del>propose an amendment</del> <u>submit a draft implementing act to amend</u> of the standard form, in accordance with the procedure referred to in paragraph 2 of this Article.	
Article 4(5a)				
67a		<u>5a. Where the Commission decides not to adopt a delegated act for an amendment requested by a Member State, including if it considers it to be unjustified or disproportionate, the Commission shall explain, in a reasonable time, the reasons for its decision.</u>	<u>5a. Where the Commission decides not to submit a draft implementing act for an amendment suggested by a Member State, including if it considers it to be unjustified or disproportionate, the Commission shall explain, in a reasonable time, the reasons for its decision.</u>	

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Article 5				
68	Article 5 Processing and retention of personal data	Article 5 Processing and retention of personal data	Article 5 Processing and retention of personal data	Article 5 Processing and retention of personal data
Article 5(1)				
69	1.For the purpose of achieving the objectives set out in Article 1, personal data referred to in paragraphs 2 and 3 may be processed by the public interface.	1.For the purpose of achieving the objectives set out in Article 1, personal data referred to in paragraphs 2 and 3 may be processed by the public interface.	1.For the purpose of achieving the objectives set out in Article 1, personal data referred to in paragraphs 2 and 3 may be processed <del>by</del> in the public interface.	1.For the purpose of achieving the objectives set out in Article 1, personal data referred to in paragraphs 2 and 3 may be processed <del>by</del> in the public interface.
Article 5(2)				
70	2.The Commission is to be considered as controller in accordance with Article 3(8) of Regulation (EU) 2018/1725 in relation to:	2.The Commission is to be considered as controller in accordance with Article 3(8) of Regulation (EU) 2018/1725 in relation to:	2.The Commission is to be considered as controller in accordance with Article 3(8) of Regulation (EU) 2018/1725 in relation to:	2.The Commission is to be considered as controller in accordance with Article 3(8) of Regulation (EU) 2018/1725 in relation to:
Article 5(2), point (a)				
71	(a) Ensuring the security and availability of the public interface;	(a) Ensuring the security and availability of the public interface;	(a) Ensuring the security and availability of the public interface;	(a) Ensuring the security and availability of the public interface;
Article 5(2), point (b)				
72	(b) Processing the identification and contact details of the person submitting the declaration of posting of workers,	(b) Processing the identification and contact details of the person submitting the declaration of posting of workers,	(b) Processing the identification and contact details of the person submitting the declaration of posting of workers,	(b) Processing the identification and contact details of the person submitting the declaration of posting of workers,
Article 5(3)				
73	3.The service provider is to be considered as controller in accordance with Article 4(7) of Regulation (EU) 2016/679 for processing:	3.The service provider is to be considered as controller in accordance with Article 4(7) of Regulation (EU) 2016/679 for processing:	3.The service provider is to be considered as controller in accordance with Article 4(7) of Regulation (EU) 2016/679 for processing:	3.The service provider is to be considered as controller in accordance with Article 4(7) of Regulation (EU) 2016/679 for processing:
Article 5(3), point (a)				


	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
74	(a) the identity and contact details of the service provider;	(a) the identity and contact details of the service provider;	(a) the identity and contact details of the service provider <i>and the service recipient</i> ;	(a) the identity and contact details of the service provider <u>and the service recipient</u> ;
Article 5(3), point (b)				
75	(b) the identity of a posted worker;	(b) the identity of <del>a</del> <u>posted worker</u> <del>workers</del> ;	(b) the identity of <del>a</del> <u>posted worker</u> <del>workers</del> ;	(b) the identity of <del>a</del> <u>posted worker</u> <del>workers</del> ;
Article 5(3), point (c)				
76	(c) an electronic notification address, such as a mail address, of a posted worker to inform the posted worker that a declaration has been submitted for that worker;	(c) an electronic notification address, such as <del>a mail</del> <u>an e-mail</u> address, of a posted worker to inform the posted worker that a declaration has been submitted for that worker;	(c) an electronic notification address, such as <del>a mail</del> <u>an e-mail</u> address, of a posted worker to inform the posted worker that a <i>posting</i> declaration has been submitted for that worker;	(c) an electronic notification address, such as <del>a mail</del> <u>an e-mail</u> address, of a posted worker to inform the posted worker that a <i>posting</i> declaration has been submitted for that worker;
Article 5(3), point (d)				
77	(d) the address of the workplace of the posted worker;	(d) the address of the workplace of the posted worker;	(d) the address of the workplace of the posted worker;	(d) the address of the workplace of the posted worker;
Article 5(3), point (e)				
78	(e) the identity and contact details of the contact person of the service provider.	(e) the identity and contact details of the <del>contact person of the service provider</del> <u>persons designated pursuant to Article 9(1), points (e) and (f), of Directive 2014/67/EU</u> ;	(e) the identity and contact details of the contact <del>person of the service provider</del> <u>persons or the relevant representative</u> ;	(e) the identity and contact details of <del>the contact person of the service provider</del> <u>any persons and/or the relevant representatives designated pursuant to Article 9(1), points (e) and (f), of Directive 2014/67/EU</u> ;
Article 5(3), point (ea)				
78a		<u>(ea) any other personal data contained in documents that are submitted to the public interface by that service provider.</u>	<i>(ea) personal data contained in documents that are uploaded to the public interface.</i>	<u>(ea) personal data contained in documents that are uploaded and submitted to the public interface.</u>
Article 5(4)				

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79	4. Where a Member State receives posting declarations 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.	4. Where a Member State receives posting declarations additionally through the public interface in its national back-end system, <u>including information received directly in the national back-end system as part of the function referred to in Article 2(1), point (f) b) of this Regulation</u> , 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.	4. Where a Member State receives posting declarations 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.	
Article 5(5)				
80	5. The public interface shall ensure the automatic deletion of the information related to a posting which has been submitted through that public interface 36 months after the end date of the posting period.	5. The public interface shall <u>provide for</u> <del>ensure</del> the automatic deletion of the information related to a posting which has been submitted through that public interface <del>36 months</del> <u>10 years</u> after the end date of the posting period. <u>It shall also provide for the automatic deletion of information related to the service provider's reserved area 36 months after the latest submitted posted declaration.</u>	5. The public interface shall ensure the automatic deletion of the information <u>and documents</u> related to a posting which <del>has</del> <u>have</u> been submitted through that public interface 36 months after the end date of the posting period.	5. The public interface shall ensure the automatic deletion of the information <u>and documents</u> related to a posting which <del>has</del> <u>have</u> been submitted through that public interface 36 months after the end date of the posting period.
Article 5(6)				
81	6. The public interface shall allow for the deletion of all personal data stored in there and in the service	6. The public interface shall allow for the deletion of all personal data stored in there and in the service	6. The public interface shall allow for the deletion of all personal data stored in there and in the service	6. The public interface shall allow for the deletion of all personal data stored in there and in the service

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	providers' accounts when those data are no longer needed for the purposes for which they were collected and processed.	providers' accounts when those data are no longer needed for the purposes for which they were collected and processed.	providers' accounts when those data are no longer needed for the purposes for which they were collected and processed.	providers' accounts when those data are no longer needed for the purposes for which they were collected and processed.
Article 5(7)				
82	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.	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.	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.	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.
Article 5(8)				
83	8.A Member State may allow the competent national authority to provide national social partners 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.	8. <u>In accordance with national law and practice</u> , a Member State may allow the <u>national competent authority to provide authorities to make available to national social partners and bodies acting on their behalf, as well as to-by other means than IMI with actors with an enforcement function, including local, regional and national authorities, relevant information which has been shared via IMI.</u> <u>The relevant information available in IMI to the extent necessary and exclusively shall be provided to these actors by means other than IMI</u> for the purpose of checking compliance with <u>the</u> posting rules <u>and in accordance with national law and practices, provided that the information relates to a posting</u>	8.A Member State may allow the competent national authority to provide national social partners 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.	8. <u>In accordance with national law and practice</u> , a Member State may allow the <u>competent</u> national <u>competent</u> authority to provide national social partners, <u>and other bodies acting on their behalf, as well as other actors with an enforcement function</u> , 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 <u>and in accordance with national law and practices</u> , provided that the information relates to a posting to the territory of the Member State concerned.


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		<i>to the territory of the Member State concerned, including with applicable collective agreements.</i>		
Article 6				
g	84 Article 6 Processing of submitted information by means of IMI	Article 6 Processing of submitted information <u>and of documents submitted</u> by means of IMI	Article 6 Processing of submitted information <u>and uploaded documents</u> by means of IMI	Article 6 Processing of submitted information <u>and documents</u> by means of IMI
Article 6, first paragraph				
y	85 Information 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.	<u>1. Information submitted and documents made available</u> , via the public interface shall be made available in IMI to the responsible competent authorities of the host Member State <u>as well as to the responsible competent authorities of the Member State of establishment</u> to achieve the objectives set out in Article 1.	Information submitted <u>and documents uploaded</u> 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. <u>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.</u>	
Article 6, first paragraph a				
y	85a	<u>1a. For the purposes 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, information in submitted posting declarations in the public interface shall be made available to the European Labour Authority.</u>		

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Article 7				
e	86 Article 7 Amendment to Regulation (EU) No 1024/2012	Article 7 Amendment to Regulation (EU) No 1024/2012	Article 7 Amendment to Regulation (EU) No 1024/2012	Article 7 Amendment to Regulation (EU) No 1024/2012
Article 7, first paragraph				
e	87 In the Annex to Regulation (EU) No 1024/2012, the following new point (17) is added:	In the Annex to Regulation (EU) No 1024/2012, the following new point (17) is added:	In the Annex to Regulation (EU) No 1024/2012, the following new point (17) is added:	In the Annex to Regulation (EU) No 1024/2012, the following new point (17) is added:
Article 7, first paragraph, amending provision, numbered paragraph (17)				
e	88 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.	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.	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.	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 7a				
y	88a	<u><a href="#">Article 7a</a></u> <u><a href="#">Exercise of delegation</a></u>		
Article 7a(1)				
y	88b	<u><a href="#">1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.</a></u>		
Article 7a(2)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
y	88c	<p><u>2. The power to adopt delegated acts referred to in Article 4(2) shall be conferred on the Commission for a period of 5 years from ... [date of entry into force of the basic legislative act]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each.</u></p>		
Article 7a(3)				
y	88d	<p><u>3. The delegation of power referred to in Article 4(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</u></p>		
Article 7a(4)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
y	88e	<u>4. Before adopting a delegated act, the Commission shall consult the social partners and experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.</u>		
Article 7a(5)				
y	88f	<u>5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.</u>		
Article 7a(6)				
y	88g	<u>6. A delegated act adopted pursuant to Article 4(2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of [two months] of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by [two months] at the initiative of the European Parliament or of the Council.</u>		
Article 8				
y	89	Article 8	Article 8	Article 8





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	Committee procedure	Committee procedure	Committee procedure	Committee procedure
Article 8(1)				
y	90 1.The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1.The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1.The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	
Article 8(2)				
y	91 2.Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2.Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2.Where reference is made to this paragraph, Article 45 of Regulation (EU) No 182/2011 shall apply.	
Article 9				
g	92 Article 9 Evaluation	Article 9 Evaluation	Article 9 Evaluation	Article 9 Evaluation
Article 9, first paragraph				
y	93 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 to the freedom to provide services, in facilitating the effective monitoring by Member States of compliance with EU legislation aimed at ensuring the protection of posted workers and in supporting the related administrative cooperation between the national	<u>1.</u> The Commission shall report on the experience gained in the application of this Regulation by [ <del>five</del> <b>three</b> years after <del>entry into force of the Regulation</del> <b>the public interface is fully operational</b> ]. In particular the report shall examine to what extent this Regulation has been successful in <del>reducing</del> <b>streamlining and simplifying the</b> administrative <del>barriers to</del> <b>requirements that have an impact on</b> the freedom to provide services, in <del>facilitating the effective</del> <b>improving the functioning of the internal market, in encouraging Member States to</b>	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 <del>barriers</del> <b>obstacles</b> to the freedom to provide services, <b>in effectively reducing fragmentation of the Internal Market</b> , in facilitating the effective monitoring by Member States of compliance with EU legislation aimed at ensuring the protection of posted workers and in supporting the related	

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	competent authorities in the Member States.	<u>make use of the public interface including the possibility for making the use of the public interface mandatory for Member States, in strengthening the enforcement and</u> monitoring, <u>including data analysis</u> , by Member States of compliance with <del>EU legislation</del> <u>Union law</u> aimed at <del>ensuring</del> <u>improving</u> the protection of posted workers and in <del>supporting</del> <u>reinforcing</u> the related administrative cooperation between the national competent authorities in the Member States.	administrative cooperation between the national competent authorities in the Member States. <i>It shall moreover examine the potential future use of the public interface for declarations by service providers established outside the Union and sending workers to a Member State to provide services as well as the possibility for the posting declaration and the application for a portable document A1 to be brought closer together technically. The Commission shall take into account the opinion of the relevant stakeholders.</i>	
Article 9, first paragraph a				
93a		<u>1a. For the purposes of that report, the Commission shall take into account the opinions of the users of the public interface, in particular of SMEs, and of the relevant stakeholders, including the social partners and, of the national enforcement authorities. Since the national enforcement authorities are responsible for ensuring the correct application of this Regulation, their opinions shall be given particular weight in the Commission's evaluation.</u>		
Article 9, first paragraph b				

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y	93b	<u><a href="#">1b. The report shall also explore the possibility of extending data reusability and the use of the public interface to portable document A1 to technically merge them into a single interface.</a></u>			y
Article 10					
g	94	Article 10 Entry into force	Article 10 Entry into force	Article 10 Entry into force	g
Article 10, first paragraph					
g	95	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 enter into force three months following the date of its publication in the Official Journal of the European Union.	This Regulation shall enter into force three months following the date of its publication in the Official Journal of the European Union.	g
Article 10, second paragraph					
g	96	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	g
Formula					
g	97	Done at Brussels,	Done at Brussels,	Done at Brussels,	g
Formula					
g	98	For the European Parliament	For the European Parliament	For the European Parliament	g
Formula					
g	99	The President	The President	The President	g
Formula					
g	100	For the Council	For the Council	For the Council	g
Formula					


	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
g	101 The President	The President	The President	The President
Annex 1				
y	101a	<u><a href="#">Annex I Standard Form</a></u>		
Annex 1, point A.				
y	101b	<p><u><a href="#">A. A. INFORMATION RELATED TO THE SERVICE PROVIDER</a></u></p> <p><u><a href="#">1. Identity of the person submitting the declaration (name, telephone, e-mail)</a></u></p> <p><u><a href="#">2. Type of posting</a></u></p> <p><u><a href="#">(a) Posting under a contract for service,</a></u></p> <p><u><a href="#">(b) Intra-group posting, or</a></u></p> <p><u><a href="#">(c) Posting by a temporary work agency</a></u></p> <p><u><a href="#">2a. For each type of posting, whether posting is:</a></u></p> <p><u><a href="#">(a) as a subcontractor [yes] [no]</a></u></p> <p><u><a href="#">(b) if the answer to point (a) is 'yes': the business registration number of the main contractor</a></u></p> <p><u><a href="#">(c) a chain/double posting [yes] [no]</a></u></p> <p><u><a href="#">3. Name of the posting company</a></u></p> <p><u><a href="#">4. Country of establishment of the posting company</a></u></p> <p><u><a href="#">5. Full postal address of the posting company (street, house number, town, postal code, country)</a></u></p> <p><u><a href="#">6. Contact details of the posting company (phone, e-mail)</a></u></p>		


	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<p><u><i>[General phone and email, not contact person]</i></u></p> <p><u><i>7. Field of business (According to applicable national classification scheme or, if no applicable scheme, NACE classification with free text to identify NACE classification)</i></u></p> <p><u><i>8. [If applicable] EU VAT identification number</i></u></p> <p><u><i>9. Business registration number of posting company in the Member State of establishment</i></u></p> <p><u><i>10. [If applicable] Number of the authorisation to carry out temporary employment agency activities</i></u></p>		
Annex 1, point B				
101c		<p><u><i>B. INFORMATION RELATED TO THE POSTED WORKER</i></u></p> <p><u><i>1. First name and surname</i></u></p> <p><u><i>2. Job title or description of the job required to perform during the posting</i></u></p> <p><u><i>3. Professional qualifications</i></u></p> <p><u><i>4. Date of birth</i></u></p> <p><u><i>5. Passport number or National Identity Card number (must correspond to the form of identification used by the individual during their stay in the receiving Member State)</i></u></p> <p><u><i>6. Personal identification number, such as a tax or social security number</i></u></p>		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<p><u>7. Third country national [yes] [no]</u>  <u>– If yes: Nationality</u>  <u>8. Starting date of the employment relationship in the Member State of habitual work</u>  <u>9. Member State of affiliation for social security purposes</u>  <u>10. Phone number &amp; Email address of posted worker</u></p>		

Annex 1, point C.

101d		<p><u>C. INFORMATION RELATED TO THE POSTING</u>  <u>1. Beginning and end date of the posting OR Beginning date and anticipated duration of posting (automatic calculation of the other)</u>  <u>2. The nature of the service provided / nature of the activity (According to applicable national classification scheme or, if no applicable scheme, NACE classification with free text to identify NACE classification)</u>  <u>3. Address(es) of the workplace:</u>  <u>(a) address of the service recipient as workplace and/or</u>  <u>(b) other workplace(s) (street, house number, postal code, town or geographical coordinates)</u>  <u>To be filled in for all workers or individually for each worker</u></p>		
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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<p><u>4. Anticipated work hours:</u>  – Usual start and end time of work  – Days off per week</p> <p><u>5. Rate of pay or bonus</u></p> <p><u>6. Travel expenses paid (yes) (no)</u></p> <p><u>7. Meals expenses paid (yes) (no)</u></p> <p><u>8. Accommodation expenses paid (yes) (no)</u></p> <p><u>9. Collective lodgings (Yes) (No)</u>  – If yes: Address (street, house number, postal code, town or geographical coordinates)</p> <p><u>10. Availability of documents:</u>  (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</p>		
Annex 1, point D				
101e		<p><u><b>D. INFORMATION RELATED TO THE PERSON(S) TO LIAISE WITH THE COMPETENT AUTHORITIES IN THE HOST MEMBER STATE (ART. 9 (1) (E) AND/OR (F) OF DIRECTIVE 2014/67/EU</b></u></p> <p><u>1. Indication if contact person is either:</u>  (a) other person, or</p>		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<p><u>(b) company</u></p> <p><u>2. If (a) - First name and surname and personal identification number, such as a tax or social security number, Passport number or Identity card number</u></p> <p><u>If (b) - Company name and business registration number</u></p> <p><u>3. Phone and E-mail</u></p> <p><u>4. Address (street, house number, town, postal code, country)</u></p>		

Annex 1, point E.

101f		<p><u>E. INFORMATION RELATED TO THE SERVICE RECIPIENT</u></p> <p><u>If in Section A, point 2 one of the following types of posting has been indicated:</u></p> <p><u>– posting under a contract for service</u></p> <p><u>– intra-group posting</u></p> <p><u>1. Type of the service recipient:</u></p> <p><u>(a) company, or</u></p> <p><u>(b) private person</u></p> <p><u>2. Name of the service recipient (if company)</u></p> <p><u>3. Address and contact details of the service recipient (if company) (street, house number, postal code, town, e-mail and phone number)</u></p> <p><u>4. Business identification number of the service recipient in</u></p>		
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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<p><u>the host Member State (if company)</u>  <u>If in Section A, point 2 the following type of posting has been indicated:</u>  – <u>posting by a temporary work agency</u>  1. <u>Name of the user undertaking</u>  2. <u>Address and contact details of the user undertaking (street, house number, postal code, town, e-mail and phone number)</u>  3. <u>Business identification number of the user undertaking in the host Member State</u>  – <u>in case of a double or chain posting</u>  4. <u>Name of the user undertaking and identity of the legal representative or other person representing the service recipient in administrative and legal proceedings (Full name, date and place of birth, identity card number)</u></p>	