



**COUNCIL OF
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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a Directive of the European Parliament and of the Council on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services (first reading) - Adoption of the legislative act (LA + S) = Statement

Statement by Hungary and Latvia

“Hungary and Latvia appreciate the efforts to reach an agreement on the *proposal for a Directive of the European Parliament and of the Council on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services*. However, despite some improvements that have been introduced, Hungary and Latvia still have serious concerns about the new Directive.

Hungary and Latvia considers that, despite the aim of the legislative process, the directive as adopted by the European Parliament and the Council will not bring a uniform application of Directive 96/71/EC, instead it is likely to create additional grounds and possibilities for restricting the posting of workers within the internal market. The new Directive opens up new ways and possibilities to introduce control and other administrative measures in each Member State to be imposed on the posting of workers from other Member States, without harmonising the conditions applicable to them and which are going to be subject to only a limited ex-post monitoring by the European Commission. This will decrease legal certainty both for companies and workers and will hamper the cross-border provision of services within the internal market. Moreover, the new Directive is considered to be a serious set-back for the internal market and could undermine the achievements created through the Services Directive and the established case-law of the Court of Justice.”
