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**UNICE SUPPORTS COMMISSION'S LEGAL ACTION TO REMOVE  
OBSTACLES TO CROSS-BORDER PROVISION OF SERVICES**

UNICE supports freedom to provide cross-border services in the internal market and therefore welcomes Commission actions to remove administrative obstacles encountered by EU companies when sending a third-country citizen legally employed by them to work temporarily in another Member State in order to provide cross-border services.

On 16 April 2002, the European Commission announced its intention to take legal action for breach of Community law in this area against Belgium, Germany, Luxembourg and Austria. For example, if a company is registered in the United Kingdom, employs an American citizen, and wishes to send him/her to Germany or Luxembourg in order to provide cross-border services, authorisation to work should be swiftly obtained. Belgium and Germany will be referred to the European Court of Justice. Luxembourg and Austria will receive formal requests to amend their legislation on the matter, failing which they will also be referred to the Court of Justice.

However such legal action does not mean that the Commission proposal to create an EC service provision card for third-country citizens legally employed in the EU is superfluous. In January 1999, the Commission proposed a directive, which would result in companies being able to obtain a service provision card valid throughout the EU for such workers. This would considerably reduce the administrative burden on companies. Unfortunately, the directive was not adopted in Council.

"European employers call upon the Commission to present an amended version without delay", said the Secretary General of UNICE, Philippe de Buck.

Note to the editor:

UNICE is the official voice of more than 16 million small, medium and large companies active in Europe, employing over 106 million people. Active in European affairs since 1958, UNICE's members are 34 central industrial and employers federations from 27 countries, working together to achieve growth and competitiveness in Europe.