

Mr Klaus-Heiner Lehne
MEP
European Parliament
Bât. Altiero Spinelli (10E103)
60 rue Wiertz

B-1047 Bruxelles

THE SECRETARY GENERAL

14 February 2005

Dear Mr Lehne,

In view of the forthcoming discussions on the Commission proposal for a directive on cross-border mergers we would like to draw your attention to the following points.

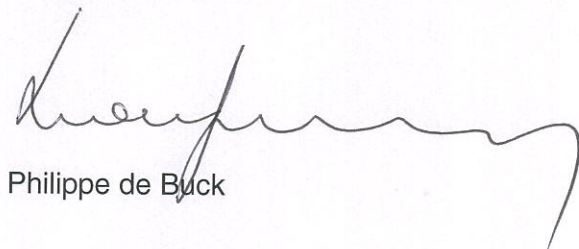
UNICE has welcomed the objective of the Commission proposal of finally providing companies with a legislative instrument for cross-border mergers. However, it has always insisted that the worker involvement aspects be referred to national rules of the newly created company resulting from the merger.

This is the solution that you retain for companies of less than 501 employees. We would like to ask you to extend this solution to all companies irrespective of their size.

Should sufficient support in the European Parliament for this solution not be found, it is essential to amend article 14 of the Commission proposal by increasing the threshold for worker participation to at least 50 percent of the workforce to avoid the possibility of a minority imposing the most extensive worker participation model on the majority of the workforce.

We hope very much that you will be able to take our views into account and we remain at your disposal should you wish to discuss this issue further.

Yours sincerely,



Philippe de Buck