

To the Deputy Permanent Representatives
of the Member States to the European Union

3 May 2018

Dear Deputy Permanent Representative,

Re: call for a deal on the proposal on Notifications in Services before the summer break

BusinessEurope has been closely following the developments in negotiations on the Commission's "Services Package", notably stressing its proposals that are preventive measures to avoid new regulatory barriers in the Single Market for services.

It is very worrying that the trilogues on the last bit of the package, the **proposal on Notifications in Services**, seem to have a bumpy road.

Businesses need a positive signal, now. It is worth noting that the presently negotiated proposal is about *enforcement* of the present rules, *transparency* among the Member States and the society at large, and *prevention of additional costs* for both businesses and consumers. It is not even about liberalisation of services markets but still faces difficulties being accepted.

We strongly call to **deliver the deal still before the summer break** so that the notification obligation prescribed by the Services Directive is met with much greater efficiency, as also called by the European Court of Auditors in its special report on implementation of the Services Directive in 2016.

The main issues can be addressed swiftly as the co-legislators established the positions in the Council's General Approach and the EP Report close enough to overcome remaining differences.

- BusinessEurope advocates in favour of the standstill period of 3 months after the Commission's alert to a Member State in order to ensure efficiency of prevention of infringements of the Services Directive; a clear *exemption* from ex-ante notification (subsequently, also from a standstill period) that applies to amendments to the notified draft regulations, made by *national or regional parliaments*, keeps the rights of national legislators to adopt national acts untouched in the amended texts of both the Council and Parliament. There is no more substantive ground to object the standstill period when this exemption is in place.
- We support the proposal scope as wide as possible, and the requirements to justify and explain notified rules.



- Last but not least, formal stakeholder involvement in consultation is an important provision that ensures transparency and participation of all interested parties, such as businesses, consumer or professional organizations.

We call on the co-legislators to adopt the proposal on Notifications in Services at their next trilogue. Otherwise, credibility of all the previously made political statements how implementation of the Single Market rules is important and the co-legislators themselves would be compromised.

Yours sincerely,

Markus J. Beyrer