



Malta-EU Steering & Action Committee

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STQARRIJA GĦALL-ISTAMPA

MEUSAC Core Group discusses the Services Directive and the Small Business Act

The Services Directive and the Small Business Act for Europe were discussed during the meeting of the Core Group of the Malta-EU Steering and Action Committee (MEUSAC) held on 5 October.

The Services Directive

The Directive on services in the Internal Market (the "Services Directive" - 2006/123/EC) was adopted by the Council and the European Parliament at the end of 2006. Its objective is to help realising the full potential of the largest sector of the European economy - and the one where the great majority of new jobs are created – the services sector. Both businesses and consumers alike will enjoy more choice and greater competition from the opportunities that the Directive offers.

The Directive requires Member States to simplify administrative procedures so as to ease the administrative burden on an enterprise, thus ensuring that its services can be easily offered in other EU countries. The Directive applies to a vast array of services. Member States are also required to take concrete legislative measures, as well as to implement a variety of practical measures such as the setting up of points of single contact in each Member State, accessible by electronic means and across borders, aimed at facilitating life for SMEs in their daily dealings with administrations, allowing service providers to obtain all relevant information and complete the required procedures through a single access point, without having to contact a whole range of administrative bodies or professional organisations. It also introduces innovative ways, such as the revision of national legislation and the process of mutual evaluation.

The Directive was adopted on 12 December 2006 and has to be implemented by Member States three years after its publication, that is by not later than 28 December 2009. In Malta,



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the process for implementation of the Directive is managed by the Ministry of Finance, Economy and Investment. The Ministry identified and is proposing to amend current legislation by means of the Services (Internal Market) Act, which was published as a Bill on 2 October 2009.

Members of the Core Group agreed that the implementation of the Directive will create better opportunities for industry at large. Discussion among members focused on, amongst others:

- sectors involved in the implementation of the Directive should also be involved in a discussion process, in particular with regard to the laws to be amended as a result of the implementation of the Directive
- the introduction of ecommerce is seen as a positive step forward;
- changes to be implemented with regard to guarantees, taxation and insurance;
- inferior employment conditions when working for companies that are testing new EU markets;
- embassies should be utilised to help businesses set-up shop in Member States;
- safeguarding Maltese enterprise against competition from foreign companies establishing themselves in Malta;
- how to better address the unemployed or those made redundant due to lack of skills;
- equal application of rules to Maltese professionals as well as to those from other EU Member States.

The Small Business Act

The Small Business Act for Europe, adopted in 2008, for the first time provides for a comprehensive policy for the EU and its Member States through:

- a set of 10 principles to guide the concept and implementation of policies both at EU level as well as at Member States level. These principles are essential to introduce added value at EU level, creating the same conditions for all SMEs and improve the legal and administrative environment within the EU;
- a set of new legislative proposals which are guided by the "Think Small First" principle;
- a set of policy measures to implement these new 10 principles according to the needs of SMEs both at EU level and at Member States level.

Core Group members stated that the Public Sector should be more flexible in particular with regard to the services it offers to the private sector. Members mentioned that payments owed to the private sector by government authorities, including schemes such as the Employment



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Aid Programme and Training Aid Framework, should be processed more quickly so as not to lose EU funds. The introduction of schemes to facilitate the entry of women into the labour market was also noted.

Presentations were delivered by Mr Anton Spiteri from the Enterprise Policy Directorate within the Ministry of Finance, the Economy and Investment.

Present for the meeting of the Core Group, chaired by the Parliamentary Secretary Dr Chris Said, were the following members: Dr Vanni Xuereb (Head, MEUSAC), Mr Julian Micallef (Secretary), Graziella Pullicino (A/Head, EU Secretariat, Office of the Prime Minister), Mr Carmel Cacopardo (Alternattiva Demokratika), Mr Tonio Mercieca (Alleanza Nazzjonali), Mr Arthur Rossi (CMTU), Mr Vince Farrugia (GRTU), Mr Kevin Borg and Ing. Ray Muscat (MCCEI), Dr Paul De Battista (Malta Employers' Association), Mr. Jesmond Bonello (UHM), Ms Grace Attard, Mr Benjamin Rizzo and Mr Julian Zarb (civil society representatives), as well as substitute members, members of staff of MEUSAC.

MEUSAC – 06.10.2009



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STQARRIJA GĦALL-ISTAMPA

Id-Direttiva dwar is-Servizzi u l-Att dwar in-Negozji ż-Żgħar fuq l-aġenda tal-MEUSAC

Fil-laqgħa tal-*Core Group* tal-MEUSAC li saret fis-6 ta' Ottubru, saru diskussjonijiet dwar l-implimentazzjoni tad-Direttiva tal-Unjoni Ewropea dwar is-Servizzi u l-Att dwar in-Negozji ż-Żgħar għall-Ewropa.

Id-Direttiva dwar is-Servizzi

L-għan tad-Direttiva dwar is-Servizzi (2006/123/KE) huwa li tagħmel progress lejn Suq Intern ġenwin fis-Servizzi, sabiex, fl-akbar settur ta' l-ekonomija Ewropea, kemm in-negozji kif ukoll il-konsumaturi jistgħu jieħdu vantaġġ shiħ mill-opportunitajiet li jippreżenta.

Id-Direttiva taħseb biex fl-Istati Membri kollha, jiġi ffaċilitat il-proċess li bih intrapriża tkun tista' ttiprovdi s-servizzi tagħha fi Stat Membru ieħor. Tapplika għal firxa wiesgħa ta' attivitajiet ta' servizzi. Minbarra li tirrikjedi lill-Istati Membri jieħdu miżuri legiżlattivi konkreti, id-Direttiva titlobhom jimplementaw varjetà ta' miżuri prattiċi bħal punt wiehed ta' kuntatt għall-fornituri tas-servizzi, proċeduri elettronici u kooperazzjoni amministrattiva. Tintroduci wkoll mezzi innovattivi, bħar-reviżjoni tal-legiżlazzjoni nazzjonali u l-proċess ta' evalwazzjoni reċiproka.

Id-Direttiva giet adottata fit-12 ta' Diċembru 2006 u jkollha tiġi implimentata mill-Istati Membri tliet snin wara l-pubblikazzjoni tagħha, jiġifieri sa mhux aktar tard mit-28 ta' Diċembru 2009. F'Malta l-proċess għall-implimentazzjoni tad-Direttiva beda f'dawn l-aħħar snin u qed jitmexxa mill-Ministeru tal-Finanzi, l-Ekonomija u l-Investment. Fit-2 ta' Ottubru ġie ippublikat Abbozz ta' Liġi biex jistabbilixxi disposizzjonijiet ġenerali li jiffaċilitaw it-tħaddim tal-libertà ta' stabbiliment għal provdituri ta' servizzi u l-libertà ta' servizzi fis-suq intern u biex jimplementa d-Direttiva 2006/123/KE.



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B'mod ġenerali l-Membri tal-*Core Group*, qablu li l-implimentazzjoni tad-Direttiva tas-Servizzi se toħloq diversi opportunitajiet għall-intrapriża . Huma qajjmu diversi punti, fosthom li:

- is-setturi kkonċernati għandhom jkunu infurmati dwar l-implimentazzjoni u għandhom ikunu involuti fil-proċess ta' diskussjoni, partikolarment dwar kif se jintlaqtu bit-tibdiliet fil-liġijiet li jridu jsiru minħabba l-implimentazzjoni tad-Direttiva;
- l-introduzzjoni ta' *ecommerce* għall-intrapriži hija inizjattiva pożittiva;
- għandu jiġi evitat li persuni jew intrapriži b'kundizzjonijiet inferjuri ta' xogħol minn dawk li ingawdu f'Malta jistabilixxu s-servizzi tagħhom f'pajjiżna b'mod temporanju;
- l-ambaxxati jistgħu jintużaw biex jgħinu lill-intrapriži jistabilixxu s-servizzi tagħhom barra minn xtutna;
- titħares il-kompetittività tal-intrapriži Maltin vis-a-vis intrapriži barranin li jistabilixxu ruħhom f'Malta;
- għandhom jiġu indirizzati ahjar dawk li huma bla xogħol jew dawk li huma mhedda li jispiċċaw bla xogħol minħabba nuqqas ta' hiliet;
- l-istess regoli japplikaw għall-professjonisti Maltin u dawk minn Stati Membri oħra tal-UE.

L-Att dwar in-Negozji ż-Żgħar

L-Att dwar in-Negozji ż-Żgħar għall-Ewropa, addottat fl-2008, jahseb biex għall-ewwel darba ikun stabbilit qafas ta' politika komprensiva għall-UE u għall-Istati Membri tagħha permezz ta':

- sett ta' 10 prinċipji biex ikunu ggwidati l-kunċett u l-implimentazzjoni tal-politiki kemm fuq il-livell ta' l-UE kif ukoll fuq il-livell ta' l-Istati Membri. Dawn il-prinċipji huma essenzjali sabiex jinġieb valur miżjud fuq il-livell ta' l-UE, jinħolqu l-istess kundizzjonijiet għall-SMEs kollha u jittejjeb l-ambjent legali u amministrattiv ma' l-UE kollha;
- sett ta' proposti legiżlattivi ġodda li jkunu ggwidati mill-prinċipju "Aħseb l-Ewwel fiż-Żgħir";
- sett ta' miżuri ta' politika ġodda li jimplementaw dawn l-10 prinċipji skont il-htigiet ta' l-SMEs kemm fuq il-livell Komunitarju kif ukoll fuq il-livell ta' l-Istati Membri.

Il-Membri tal-*Core Group* qalu li għandu jkun hemm aktar flessibilità mis-Settur Pubbliku vis-a-vis is-servizzi li joffri għall-intrapriži, kif ukoll li jsiru l-ħlasijiet dovuti lis-settur privat minn awtoritajiet tal-Gvern, fosthom mill-iskemi bħal ma' huma l-*Employment Aid*



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Programme u t-Training Aid Framework biex ma jintilfulx fondi tal-UE. Issemma wkoll l-introduzzjoni ta' skemi li jiffaċilitaw id-dhul tan-nisa fis-suq tax-xoghol.

Il-preżentazzjoni dwar l-implimentazzjoni tad-Direttiva tas-Servizzi u dik dwar l-Att dwar in-Negozji ż-Żgħar għall-Ewropa saret mis-Sur Anton Spiteri mid-Direttorat għall-Politika dwar l-Intrapriżi fi hdan il-Ministeru tal-Finanzi, l-Ekonomija u l-Investment.

Preżenti għal-laqgħa tal-*Core Group*, li kienet ppreseduta mis-Segretarju Parlamentari Dott. Chris Said kien hemm: Dott. Vanni Xuereb (Kap tal-MEUSAC), is-Sur Julian Micallef (Segretarju), is-Sinjorina Graziella Pullicino (A/Kap, Segretarjat UE fl-Uffiċċju tal-Prim Ministru), is-Sur Carmel Cacopardo (Alternattiva Demokratika), is-Sur Tonio Mercieca (Azzjoni Nazzjonali), is-Sur Arthur Rossi (CMTU), is-Sur Vince Farrugia (GRTU), is-Sur Kevin Borg u l-Ing. Ray Muscat (MCCEI), Dott. Paul De Battista (Malta Employers' Association), is-Sur Jesmond Bonello (UHM), is-Sinjura Grace Attard, is-Sur Benjamin Rizzo u s-Sur Julian Zarb (rappreżentanti tas-soċjetà ċivili), kif ukoll sostituti u membri tal-istaff tal-MEUSAC.

MEUSAC – 06.10.2009