

PARLIAMENT OF ROMANIA

CHAMBER OF DEPUTIES

DECISION

approving the opinion on the Commission Communication to the European Parliament, the European Council, the Council and the European Economic and Social Committee:

A European agenda for the collaborative economy (COM(2016) 356)

Pursuant to the provisions of Articles 67 and 148 of the Romanian Constitution, republished, of Law No 373/2013 on cooperation between Parliament and the Government in the area of European affairs, and of Rules 160 to 185 of the Rules of Procedures of the Chamber of Deputies, republished,

the Chamber of Deputies hereby adopts this Decision:

Sole Article - Having regard to Opinion No 4c-19/974, adopted by the Committee for European Affairs at its meeting of 14 September 2016, the Chamber:

1. Welcomes this Communication since:

- the Commission presents a set of guidelines on the basis of which the EU Member States can ensure the balanced development of the collaborative economy;
- the Communication aims to clarify the key issues facing both market operators and public authorities on market access conditions, liability regulation, consumer protection, labour law enforcement and taxation;
- it clarifies issues regarding the quality of service providers and of intermediaries for online platforms;
- it encourages consumers, business and public authorities in EU Member States to engage in the collaborative economy.

2. We support this Communication because:

- at the present time national and local authorities have adopted a series of collaborative economy measures; these have led to a multitude of separate new business models, creating uncertainty for traditional operators, new service providers and consumers alike; this uncertainty may in future prevent the creation of new jobs;
- the development of a balanced collaborative economy represents one of the routes towards the fulfilment of the agenda for achieving the single market;
- the collaborative economy can provide benefits for consumers in the form of new services, greater choice and lower prices;
- we stress the need to differentiate between individuals who provide occasional services and providers who carry out activities as part of their profession (e.g. by drawing up grids depending on the level of activity).

3. We believe that:

- the collaborative economy will lead to the development of new business models which, if implemented responsibly, can make an important contribution to increased employment and economic growth in the EU;
- the development of the collaborative economy can stimulate asset sharing and the more efficient use of resources; this will help achieve the EU's aims as regards sustainability and the transition towards a circular economy;
- this Communication is justified and, therefore, we support the Commission's request for the re-examination and review of existing legislation in this field so that the conditions necessary to develop a balanced collaborative economy are brought about more quickly;
- collaborative economy service providers and platforms have to pay taxes, just like other participants in the economy;
- the Commission should establish a monitoring framework covering both the evolving regulatory environment and economic and business developments, in order to avoid obstacles which might arise and to predict price and service quality trends.

4. We take the view that:

- driven by innovation, new business models have a significant potential to contribute to competitiveness and growth;
- the development of the collaborative economy can stimulate asset sharing and the more efficient use of resources;
- Member States must be encouraged to make progress in simplifying and clarifying the application of tax rules in the areas covered by the collaborative economy; in this regard, collaborative platforms should cooperate closely with national authorities on the registration of economic activities and the enabling of tax collection;
- Member States should ensure that all consumers enjoy a high level of protection from unfair commercial practices, while not imposing disproportionate obligations on private individuals who provide services only on an occasional basis;
- the success of collaborative platforms is a challenge for market participants and also in terms of existing practices;
- they promote new employment opportunities characterised by flexible working conditions and representing supplementary sources of income;
- we support the Commission's efforts to encourage responsible behaviour by all types of online platforms in the form of voluntary actions (e.g. helping to remove false or misleading assessments);
- this will help harness the benefits of the collaborative economy and, at the same time, address concerns over the uncertainty about rights and obligations of stakeholders;
- the added value of this document consists in legal and policy guidelines to public authorities, market stakeholders and citizens involved in the balanced and sustainable development of the collaborative economy;
- monitoring activities will help encourage innovation and entrepreneurship, an approach which the Commission is taking in order to achieve the single market.

5. We want to emphasise:

- the importance of, and the need to ensure, fair working conditions, social protection and adequate and sustainable consumer protection;
- that the collaborative economic approach based on self-regulation, voluntary standards and certification marks should not be overly permissive; that it would be better to impose stricter

rules to ensure the same level of protection for consumers of products and services as in other economic sectors; we therefore feel that the minimum basic consumer protection rules should be imposed (e.g. the exclusion of unfair terms, the elimination of illegitimate business practices, the supply of safe products which do not pose a threat to the lives, health or safety of consumers, etc.).

6. Regarding the impact of these proposals on Romania, we note the following:

- given the area in which the resources are located, and given its attractiveness for the relevant users, the development of this type of economy mainly involves making shared goods and services and IT technologies available;
- when goods and services are shared, the fundamental factor for both users and suppliers is trust, and the development of technology is a key element in building that trust;
- the main challenges are:
 - a. the reduced level of trust in the products and services supplied;
 - b. the provisions on liability;
 - c. the additional administrative burden generated by enquiries from online and traditional offline suppliers;
- in view of these challenges, therefore, more attention must be paid to:
 - a. adopting common standards;
 - b. taxation of activities, even those of an occasional nature, while making a distinction between profit and non-profit activities;
 - c. establishing the legal responsibilities of the relevant actors;
 - d. disseminating and increasing the public's awareness of collaborative-economy initiatives;
- the measures proposed in this Commission Communication are in principle favourable to the process of reducing the social gap between our country and more developed EU Member States;
- Romania has the opportunity to promote the competitive IT sector to a greater extent; this would lead to increased acceptance of this sector, if we consider that Internet and telecoms services are a solid mechanism for promoting the collaborative economy in Europe. This image could be strengthened by opening relevant industrial parks and research centres, investment we consider to be of strategic importance for the Romanian economy.

The Chamber of Deputies warmly welcomes this Communication, as it proactively supports innovation, competitiveness and the growth opportunities offered by economic modernisation and promotes the development of fair working conditions and the adequate and sustainable social protection of consumers, as well as the rules and obligations applying to citizens; these characteristics are designed to enable consumers, businesses and public authorities to participate with confidence in the collaborative economy and will prompt Member States to apply coherent EU legislation in this field, across the single market.

This Decision was adopted by the Chamber of Deputies at its sitting of 20 September 2016 in compliance with Article 76(2) of the Romanian Constitution, republished.

**THE PRESIDENT OF THE
CHAMBER OF DEPUTIES**

Florin IORDACHE

Bucharest, 20 September 2016