

Statute for a European cooperative society

1991/0388(CNS) - 14/05/2003 - Text adopted by Parliament after reconsultation

The European Parliament adopted, by 440 votes for, 12 votes against and 25 abstentions, the report by Mrs Evelyne GEBHARDT (PES, D). MEPs adopted a key amendment to the proposal with the aim of ensuring that its legal basis is such as to make it subject to the codecision procedure and not the consultation procedure. They argue that the proposal should in fact be based on Article 95 and not on article 308. It maintains that Article 95 is a "lex specialis" in relation to Article 308 and constituted the correct legal basis for a regulation that was essentially aimed at harmonising Member States' laws, and hence reducing legal obstacles to the operation of the internal market, rather than creating new "supranational" law. MEPs also adopted amendments seeking to ensure proper information and consultation procedures and full transparency regarding any changes in the structure of the ECS, in particular with regard to employee's participation. It also states that employees' rights with regard to information, consultation and participation shall under no circumstances be less favourable than those applicable before the merger or the conversion of a ECS.