Equal treatment between women and men: access to and supply of goods and services

2003/0265(CNS) - 30/03/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the report by Christa PRETS (PES, A) by 313 votes for, 141 against and 47 abstentions. (Please refer to the summary dated 15 March 2004). The new directive which attacks discrimination in particular regarding private pension schemes and the insurance sector, but also more broadly regarding the provision of goods and services caused great debate in Plenary. All goods and services available to the public are included, providing they have an economic value and are supplied for payment, whether in the public or private sectors. This includes medical and health care services, insurance and financial services - essentially all good and services outside the workplace, which is covered by an existing directive. There is no impact on the content of the media or on advertising except for advertising relating to the conditions of access to goods and services. The new Directive is based on Article 13 of the EC Treaty, which gives the Council the power to take measures to combat all forms of discrimination, notably those based on sex. This legal base allows only for the consultation of Parliament. The European Parliament is of the opinion that sex is a factor which may not be influenced, so the differences in premiums or benefits of insurance products based on this (including the risk of pregnancy) are discriminatory. Different pricing should be linked to individual behaviour and choices (such as eating habits, smoking, use of alcohol, job etc.). Concerning the implementation of the Directive, Member States have 2 years to transpose the directive into national law, except for the insurance and financial services sector, where Parliament proposes an additional period of 4 years, bringing the total to 6 years. This is in anticipation of possible difficulties for this sector, on which the Parliament wants Member States to report to the Council, Commission and Parliament. Given the differences between the Member States and the risk of competition being distorted during the transition period, the Member States must also report to the Commission on the progress made in eliminating the use of sex as a factor in calculation premiums, insurance and contributions. These reports, which would also be sent to Parliament and the Council, have the aim of ensuring objectivity and transparency. Lastly, the European Parliament is also calling for a change to the name of the directive, which originally referred to the principle of equal treatment - it should now refer simply to equality, reflecting the inclusion of equality between men and women as one of the fundamental rights of the proposed European Constitution.