EUROPEAN UNION

THE EUROPEAN PARLIAMENT **THE COUNCIL**

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on a public interface, connected to the Internal Market Information System, for the declaration of the posting of workers and amending Regulation (EU) No 1024/2012

REGULATION (EU) 2026/…
OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of …

on a public interface, connected to the Internal Market Information System, for the declaration of the posting of workers and amending Regulation (EU) No 1024/2012

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[1],

Acting in accordance with the ordinary legislative procedure[2],

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1 OJ C, C/2025/3196, 2.7.2025, ELI: http://data.europa.eu/eli/C/2025/3196/oj.

2 Position of the European Parliament of 20 October 2026 (not yet published in the Official Journal) and decision of the Council of ….

Whereas:

(1) The Internal Market Information System (IMI), established by Regulation (EU) No 1024/2012 of the European Parliament and of the Council[3], is to be used as much as possible for the administrative cooperation and mutual assistance, including between the competent authorities of the Member States designated pursuant to Directive 96/71/EC of the European Parliament and of the Council[4] and as defined in Directive 2014/67/EU of the European Parliament and of the Council[5], concerning the posting of workers in the framework of the provision of services. In accordance with Directive 2014/67/EU, Member States are to work in close cooperation and provide each other with mutual assistance without undue delay in order to facilitate the implementation, application and enforcement in practice of that Directive and of Directive 96/71/EC.

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3 Regulation (EU) No 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC ('the IMI Regulation') (OJ L 316, 14.11.2012, p. 1, ELI: http://data.europa.eu/eli/reg/2012/1024/oj).

4 Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJ L 18, 21.1.1997, p. 1, ELI: http://data.europa.eu/eli/dir/1996/71/oj).

5 Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation') (OJ L 159, 28.5.2014, p. 11, ELI: http://data.europa.eu/eli/dir/2014/67/oj).

(2) Directive 2014/67/EU aims to guarantee respect for an appropriate level of protection of the rights of posted workers for the cross-border provision of services, in particular the enforcement of the terms and conditions of employment that apply in the Member State where the service is to be provided in accordance with Article 3 of Directive 96/71/EC, while facilitating the exercise of the freedom to provide services for service providers and promoting fair competition between service providers, and thus supporting the functioning of the internal market. Article 9(1), first subparagraph, of Directive 2014/67/EU provides that Member States can only impose administrative requirements and control measures necessary in order to ensure the effective monitoring of compliance with the obligations set out in that Directive and Directive 96/71/EC, provided that they are justified and proportionate in accordance with Union law. Subject to those conditions, Article 9(1), second subparagraph, point (a), of Directive 2014/67/EU allows Member States to require a service provider established in another Member State to make a simple declaration to the responsible national competent authorities (the 'competent authorities'), at the latest at the commencement of the service provision, containing the relevant information necessary to allow factual controls at the workplace (the 'posting declaration'). It remains the responsibility of Member States to decide, subject to justification and proportionality, in which cases to require a posting declaration and what information such a posting declaration is to contain. Article 9(1), second subparagraph, point (b), of Directive 2014/67/EU allows Member States to require a service provider to keep or make available and/or retain copies, in paper or electronic form, of employment related documents during the period of posting in an accessible and clearly identified place in its territory. Article 9(1), second subparagraph, point (c), of Directive 2014/67/EU allows Member States to require a service provider to deliver those documents after the period of posting upon the request of the authorities of the Member State to which a worker is posted (the 'host Member State'), within a reasonable period of time. Article 9(1), second subparagraph, point (d), of Directive 2014/67/EU allows Member States to require a service provider to provide a translation of those documents into (one of) the official language(s) of the host Member State, or into (an)other language(s) accepted by the host Member State. It remains the responsibility of Member States to decide, subject to justification and proportionality, whether to introduce any such requirements.

(3) All Member States have decided to require a posting declaration to be submitted by service providers posting workers to them. However, the national posting declaration systems differ significantly in design, requirements and functionality and the posting declaration requirements vary significantly among the Member States. Complying with those diverging requirements creates a considerable administrative burden for the service providers posting workers, in particular for small and medium-sized enterprises (SMEs), is an obstacle to the freedom to provide services and hinders the free movement of workers within the internal market. Stakeholders, in particular service providers, have stressed that the posting declaration requirement constitutes a significant reporting obligation and is among the most significant administrative obstacles to the cross-border provision of services in the internal market.

(4) Reporting requirements play a key role in ensuring the effective monitoring and correct enforcement of legislation, while allowing for better data collection and cross-border exchange of information and, thereby, more targeted inspections and evidence-based policy-making. The reporting systems and requirements, established in accordance with Article 9(1) of Directive 2014/67/EU, for the submission of posting declarations should be simplified, in line with the Commission's communication of 16 March 2023 entitled 'Long-term competitiveness of the EU: looking beyond 2030', in order to significantly reduce the administrative burden for service providers established in other Member States and posting workers to host Member States, as well as for competent authorities, while ensuring that Member States are equipped with the information necessary for the effective monitoring of compliance and the enforcement of the administrative requirements and control measures referred to in Article 9(1), second subparagraph, point (a), of Directive 2014/67/EU. Such simplification should be without prejudice to the level of protection of posted workers provided for in Directive 96/71/EC and to the enforcement of that Directive pursuant to Directive 2014/67/EU.

(5) The simplification of administrative requirements for service providers and competent authorities is to be achieved while ensuring adequate working conditions and social protection for posted workers and the enforcement of those conditions and that protection. The facilitation of the effective monitoring by Member States of compliance with Union law aims to ensure the protection of posted workers' rights and the reinforcement of mutual administrative cooperation, to improve the protection of workers' rights and to help combat abusive practices and undeclared work. Abusive practices and undeclared work undermine workers' fundamental rights and distort competition, to the detriment of compliant service providers.

(6) In accordance with Article 12 of Regulation (EU) No 1024/2012, technical means can be provided to allow external actors to interact with IMI. Such interaction should be facilitated by means of a multilingual electronic public interface connected to IMI (the 'public interface'), through which service providers submit posting declarations to the Member States that make use of the public interface instead of their national posting declaration systems under Article 9(1), second subparagraph, point (a), of Directive 2014/67/EU and national law. Member States could, in addition, require service providers to make relevant documents available in the public interface instead of using their national procedures to request and obtain such relevant documents. Documents requested and obtained in IMI through the public interface should not be requested also by other means. Those Member States could then use the information from posting declarations and documents obtained in IMI to make reasoned requests for information to other Member States and to reply to reasoned requests for information from other Member States in the IMI posting modules, in accordance with the obligation to provide mutual administrative cooperation and assistance under Directive 2014/67/EU.

(7) Given the increase in the number of posted workers in the Union, the simplification of the process of submitting and updating posting declarations and of making relevant documents available aims to simplify administrative processes and requirements, thereby facilitating the freedom to provide services, while providing for stronger protection of posted workers during their posting.

(8) Although Member States are not required to provide for the use of the public interface set up pursuant to this Regulation and it should be possible for Member States to continue to use their national posting declaration systems, the expected take-up by Member States of the public interface would contribute to the approximation of the procedure and requirements for posting declarations in the Member States that make use of it. The public interface, as the single portal for posting declarations, and the standard form, which should consist of a common and exhaustive set of information requirements that may be necessary for factual controls at the workplace, would establish similar conditions for posting declarations in the Member States which make use of the public interface. This Regulation therefore aims to facilitate the freedom to provide services through a partial harmonisation of the procedure and requirements for posting declarations. By providing for more harmonised conditions, this Regulation will reduce fragmentation between the Member States that decide to make use of the public interface.

(9) A single system for posting declarations, used by as many Member States as possible, is envisaged as a long-term objective in order to enhance efficiency and the protection of posted workers and to ensure the efficient functioning of the internal market. Low entry barriers for Member States and a well-functioning public interface that can be easily integrated into Member States' national back-end systems are factors that will be key to increasing the take-up of the public interface by Member States.

(10) The simplification of the process of submitting and updating posting declarations, including the transparent logging of user activity, aims to facilitate a better and more uniform and effective application of Directive 96/71/EC as well as the enforcement in practice of that Directive. It should be achieved by improving the collection, cross-referencing and comparability of data by establishing a standard form for posting declarations and by reducing instances of non-compliance with posting rules due to different procedures for submitting posting declarations**.** The simplification of that process also aims to facilitate the carrying out of effective and adequate inspections by the Member States, thus contributing to the protection of posted workers' rights.

(11) The simplification of the process of submitting and updating posting declarations is expected to reduce the administrative burden and obstacles to cross-border enforcement by competent authorities seeking mutual assistance from other Member States and to improve data collection in order to enable evidence-based policy making. To ensure that the competent authorities can provide each other with mutual assistance without undue delay and to simplify requests for mutual assistance, information submitted in posting declarations should be made available directly in IMI, thus facilitating the application in practice of Directives 96/71/EC and 2014/67/EU, supporting the related administrative cooperation between the competent authorities in the Member States and contributing to more effective enforcement and to the proper functioning of the internal market.

(12) Pursuant to Article 1(4) of Directive 96/71/EC, Member States are not to give more favourable treatment to undertakings established in a non-Member State than to undertakings established in a Member State. To support Member States in complying with that obligation, and to achieve the objectives of the public interface, the public interface should, in addition, be made available for declarations submitted by service providers established in a non-Member State that send workers to a Member State to provide services. That would facilitate ensuring adequate working conditions for those workers and would promote fair competition between service providers. That would also support mutual assistance between Member States' competent authorities in accordance with Regulation (EU) No 1024/2012, where competent authorities request information about workers sent by a service provider established in a third country from other Member States. The public interface should be made available for such declarations upon the request of the Member State to whose territory the worker is sent from a non-Member State. A Member State should make such a request only if necessary for those service providers to comply with its national law.

(13) The Commission should set up the public interface for voluntary use by Member States. The public interface should enable Member States to require service providers to submit posting declarations to the competent authorities, and to upload and submit documents upon the request of those competent authorities. Service providers would thereby comply with the obligation imposed by Member States to declare the posting of workers pursuant to Article 9(1), second subparagraph, point (a), of Directive 2014/67/EU, to keep or make available documents pursuant to Article 9(1), second subparagraph, point (b), (c) or (d), of that Directive and to enable factual controls at the workplace.

(14) The public interface should support Member States in their task of ensuring that the procedures and formalities relating to the posting of workers are user-friendly and can be completed by undertakings at a distance and by electronic means, thus facilitating the submission of posting declarations and documents where required. However, the submission of documents should be requested by the competent authorities only after the period of posting has started. The public interface should enable the submission of motivated notifications to enable service providers to extend the period of posting from 12 to 18 months pursuant to Article 3(1a), third subparagraph, of Directive 96/71/EC.

(15) The public interface should enable the technical validation of the data in the posting declarations, in order to ensure the plausibility and technical accuracy of the information provided and the format of the data. Where feasible, such validation could be carried out by enabling the cross-referencing of information against relevant Union registries, such as the VAT Information Exchange System. User activity in the public interface should be recorded and logged in order to ensure the transparency of changes made to posting declarations and to enable the reuse of the data by service providers.

(16) To inform a worker about the submission of a posting declaration concerning that worker, the public interface should be able, where provided for and requested by the host Member State, to transmit an extract of the posting declaration to the posted worker concerned. Such an extract should contain only data that are relevant to the posted worker concerned, in a retainable and permanent format.

(17) The host Member State should be able to request to receive posting declarations and, where applicable, documents submitted through the public interface also in its national back-end system. Where the Member State of establishment of the service provider makes use of the public interface for posting declarations, it should be able to request to receive information submitted in the posting declarations to the host Member State also in its national back-end system. The Commission and Member States can cooperate with regard to any technical issues concerning such requests.

(18) The public interface offers potential to disseminate information provided by Member States pursuant to Article 5(2), point (a), of Directive 2014/67/EU. The public interface should make available a link to the single official national posting website, which provides information about the applicable terms and conditions of employment, including information relating to the posting declaration and any relevant exemptions. That information is of particular importance to SMEs. The public interface should also, where applicable, make available links to the relevant websites of Member States for the submission of motivated notifications pursuant to Directive 96/71/EC. The links to the single official national posting websites and to the websites for those notifications should be provided to the Commission by the Member States.

(19) The setting up of the public interface should have no impact on whether Member States decide to make use of the public interface or continue to use their national posting declaration systems established in accordance with Article 9(1), second subparagraph, point (a), of Directive 2014/67/EU. All Member States will continue to use IMI for the administrative cooperation and mutual assistance between the competent authorities of the Member States provided for in Directives 96/71/EC and 2014/67/EU and in points 6 and 7 of the Annex to Regulation (EU) No 1024/2012.

(20) Interoperable and reusable solutions, such as those provided for by Regulation (EU) No 910/2014 of the European Parliament and of the Council[6] as regards establishing the European Digital Identity Framework, or by other Union legal acts on a digital identity for economic operators, can be taken into consideration as they can make it easier for service providers to identify themselves.

[6] Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73, ELI: http://data.europa.eu/eli/reg/2014/910/oj).

(21) There are currently separate procedures with regard to the posting of workers and social security coordination. Undertakings are required to use separate portals to submit posting declarations and to apply for the social security document referred in Article 19(2) of Regulation (EC) No 987/2009 of the European Parliament and of the Council[7] attesting the applicable Member State's legislation pursuant to Regulation (EC) No 883/2004 of the European Parliament and of the Council[8] (portable document A1). The Commission should continue to explore the possibility of bringing posting declarations and applications for the portable document A1 more closely together technically and to explore synergies in terms of data reusability.

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7 Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems (OJ L 284, 30.10.2009, p. 1, ELI: http://data.europa.eu/eli/reg/2009/987/oj).

8 Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (OJ L 166, 30.4.2004, p. 1, ELI: http://data.europa.eu/eli/reg/2004/883/oj).

(22) While there is no obligation on Member States to impose on service providers any of the measures in Article 9(1), second subparagraph, points (a), (b), (c) or (d), of Directive 2014/67/EU, Member States should be able to decide to make use of the public interface for posting declarations as well as for the submission of documents. Before requiring service providers to submit posting declarations and, where applicable, documents through the public interface, Member States should ensure that such requirements are provided for in national law, in accordance with Union law. In order to ensure the frictionless use of the public interface, Member States should communicate to the Commission their interest in making use of the public interface. Member States should be allowed to cease to make use of the public interface, provided that they inform the Commission of such intention in a timely manner in advance in order to ensure the frictionless use of the public interface and legal certainty for service providers.

(23) The Commission, in line with the United Nations Convention on the Rights of Persons with Disabilities[9], adopted on 13 December 2006, to which the Union and all Member States are party, should ensure accessibility for persons with disabilities of the public interface and its content, taking into account, to the extent relevant, the accessibility requirements set out in Annex I to Directive (EU) 2019/882 of the European Parliament and of the Council[10], and a level of web accessibility equivalent to the level for web-based applications of public sector bodies provided for in Directive (EU) 2016/2102 of the European Parliament and of the Council[11].

(24) Service providers should be able to submit a posting declaration and make relevant documents available to the competent authorities of a host Member State that makes use of the public interface, including the standard form. The public interface should include clear guidance and support features to help service providers submit their posting declarations efficiently and correctly.

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9 Council Decision of 26 November 2009 concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities (OJ L 23, 27.1.2010, p. 35, ELI: http://data.europa.eu/eli/dec/2010/48(1)/oj).

10 Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70, ELI: http://data.europa.eu/eli/dir/2019/882/oj).

11 Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (OJ L 327, 2.12.2016, p. 1, ELI: http://data.europa.eu/eli/dir/2016/2102/oj).

(25) The translation facility in IMI allows the competent authorities to translate documents from and into any of the official languages of the Union institutions. This removes the need for an obligation on the service provider to provide a translation of the documents submitted through the public interface.

(26) The Commission has received input from the Expert Group on a Common Electronic Form for the Declaration of Posting of Workers on the national declaration requirements and systems as well as on the relevant information necessary to allow factual controls at the workplace. The Commission has received advice from that expert group concerning the information requirements that would be appropriate to include in a standard form for posting declarations. Taking into account that advice, the applicable Union law and the national measures transposing Directive 2014/67/EU, and in order to enable the provision of information that could be necessary to allow factual controls at the workplace, the standard form used in connection with the public interface should consist of information requirements relating to the service provider, the posted worker, the posting assignment, the contact persons for competent authorities and for social partners, and the service recipient. The public interface should enable Member States to limit the obligation to submit a posting declaration to certain economic sectors or activities or to exempt certain economic sectors or activities from that obligation. Member States should inform the Commission of any such limitation or exemption.

(27) The standard form should be available in all official languages of the Union institutions. A Member State should be able to decide that service providers posting workers to its territory are not required to provide certain information in the standard form where that Member State does not consider such information to be relevant in view of its national context and the way it organises factual controls at the workplace. In such cases, the Member State should inform the Commission of its decision.

(28) Taking into account the specific circumstances of the Member States, information about the service provider and the service recipient, including the legal representative or another person representing the undertaking in administrative or legal proceedings, such as the CEO, a board member or, where the undertaking decides to appoint one, a lawyer, and about the identity and contact details of the service recipient, can facilitate the identification of cases in which there has been a circumvention or an abuse of the posting rules and of cases of undeclared work in the context of the posting of workers.

(29) With regard to the construction sector, the standard form should include an information requirement to indicate, where applicable, any registration in the relevant national registers of the host Member State. Member States should require such information only where the relevant registration requirements comply with Union law, in particular with Articles 49 and 56 of the Treaty on the Functioning of the European Union (TFEU) and Directive 2006/123/EC of the European Parliament and of the Council[12]. The inclusion of such an information requirement in the standard form is without prejudice to whether the relevant registration requirement complies with Union law.

(30) In the case of a double posting or a chain posting as referred to Article 1(3), first and second subparagraphs, of Directive 96/71/EC by a temporary employment undertaking or a placement agency, the standard form should allow each undertaking involved to be identified. Requiring information about a legal representative or another person representing those undertakings in administrative or legal proceedings can also facilitate the monitoring of compliance with Union law that aims to ensure the protection of posted workers' rights.

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[12] Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market (OJ L 376, 27.12.2006, p. 36, ELI: http://data.europa.eu/eli/dir/2006/123/oj).

(31) The standard form should include an information requirement relating to the authorisation to carry out temporary employment undertaking or placement agency activities in the country of establishment of the undertaking or agency, and an information requirement on the justification for the use of a temporary employment undertaking or placement agency in accordance with the host Member State's law, provided that the law does not constitute an obstacle to the freedom to provide services pursuant to Article 56 TFEU and Directive 2006/123/EC, and is compatible with Directive 2008/104/EC of the European Parliament and of the Council[13].

(32) Member States should be able, by means of the standard form, to request information about indicative working periods of the posted worker where such information is needed in order to anticipate when the posted worker would normally be expected to be available at the workplace in order to monitor the posted worker's terms and conditions of employment.

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13 Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work (OJ L 327, 5.12.2008, p. 9, ELI: http://data.europa.eu/eli/dir/2008/104/oj).

(33) In accordance with Article 10 of Directive 2014/67/EU, inspections are to be based primarily on a risk assessment. In that regard, Member States should be able, by means of the standard form, to request information relating to an indicative level of the hourly rate of pay of the posted worker where such information is necessary for carrying out the risk assessment. Member States requesting such information should ensure that information about the applicable minimum hourly rate of pay is easily accessible as part of the information about remuneration published on their single official national posting websites pursuant to Article 3(1), fourth subparagraph, of Directive 96/71/EC and Article 5(1) and (4) of Directive 2014/67/EU.

(34) In respect of the establishment and amendment of the standard form, reflecting the information requirements set out in the Annex to this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[14].

[14] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).

(35) Making use of the public interface, including the standard form, is intended to simplify the administrative requirements and address the divergences in the applicable rules and regulations of the Member States. Where a service provider uses the standard form, this should be sufficient to comply with the posting declaration obligation in Member States that make use of the public interface. For the purpose of posting declarations, there should be no additional information requirements imposed at national level in those Member States. It is without prejudice to the possibility for Member States' enforcement authorities or other bodies to request further information or documents, or to impose other administrative requirements, to ensure the effective monitoring of compliance with Union law on the posting of workers pursuant to Article 9 of Directive 2014/67/EU.

(36) The standard form and the documents submitted by service providers through the public interface could contain certain personal data. The processing of personal data in the public interface should be carried out in accordance with Union law on the protection of personal data, namely Regulations (EU) 2016/679[15] and (EU) 2018/1725[16] of the European Parliament and of the Council. For that purpose, this Regulation should specify the categories of personal data that can be processed in the public interface. In order to clarify who bears the responsibility for the processing of personal data submitted through the public interface, this Regulation should indicate who is considered to be the controller of the personal data. Regulation (EU) No 1024/2012 applies to the processing of personal data in IMI by the competent authorities.

(37) The information from posting declarations and from documents submitted, including any personal data, should be kept in the public interface for a maximum of 36 months after the end of the period of posting for the purpose of reusing such information and such documents in subsequent posting declarations. The information and documents made available in IMI for the purpose of administrative cooperation are accessible to the competent authorities in accordance with Regulation (EU) No 1024/2012. That information and those documents can be kept in national back-end systems for a longer period, in accordance with Regulation (EU) 2016/679 and national law and practice.

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15 Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj).

16 Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: http://data.europa.eu/eli/reg/2018/1725/oj).

(38) In many Member States, social partners and other entities and organisations, including local, regional and national authorities in the context of public procurement, play a role in the monitoring of compliance with the posting rules. In accordance with national law and practice, for the purpose of monitoring compliance with the posting rules, including with applicable collective agreements, competent authorities should be allowed to make available to social partners and bodies acting on their behalf, as well as other actors with an enforcement function, relevant information which has been made available in IMI. In such cases, the relevant information should be provided to them by means other than in IMI.

(39) The data submitted through the public interface are significant with regard to a possible improvement of the accuracy of posting statistics and cross-border risk analyses relating to posting patterns in the internal market. Aggregated statistical data based on posting declarations in the public interface should be made available to the European Labour Authority (ELA), established by Regulation (EU) 2019/1149 of the European Parliament and of the Council[17], for the purpose of, and to the extent necessary for, exercising its tasks with regard to coordinating and supporting concerted and joint inspections and carrying out analyses and risk assessments.

[17] Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority, amending Regulations (EC) No 883/2004, (EU) No 492/2011, and (EU) 2016/589 and repealing Decision (EU) 2016/344 (OJ L 186, 11.7.2019, p. 21, ELI: http://data.europa.eu/eli/reg/2019/1149/oj).

(40) The ELA should support the competent authorities and service providers, in particular SMEs, in the implementation and use of the public interface, in accordance with its mandate under Regulation (EU) 2019/1149.

(41) The Commission should continue to be assisted by the Expert Group on a Common Electronic Form for the Declaration of Posting of Workers and should regularly monitor the functioning of the public interface, including on the basis of feedback from service providers and competent authorities.

(42) This Regulation should be without prejudice to Directives 96/71/EC and 2014/67/EU. It should also be without prejudice to Union law that lays down specific rules on the use of public interfaces, connected to IMI, for declarations of posting of certain categories of workers, such as Directive (EU) 2020/1057 of the European Parliament and the Council[18].

[18] Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012 (OJ L 249, 31.7.2020, p. 49, ELI: http://data.europa.eu/eli/dir/2020/1057/oj).

(43) Since the objectives of this Regulation, namely to reduce administrative obstacles to the freedom to provide services by simplifying administrative requirements, improving the effective monitoring by Member States of compliance with, and the enforcement of, Union law that aims to ensure the protection of posted workers' rights, strengthening the related administrative cooperation between the competent authorities and enhancing data collection on the posting of workers by the establishment of a multilingual electronic public interface for the declaration of the posting of workers and, where applicable, for making relevant documents available, cannot be sufficiently achieved by the Member States, but can rather, by reason of the scale or effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

(44) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on 8 January 2025.

(45) Regulation (EU) No 1024/2012 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

Public interface connected to the Internal Market Information System

1. The Commission shall set up a multilingual electronic public interface, connected to the Internal Market Information System (IMI) established by Regulation (EU) No 1024/2012, for the declaration of the posting of workers and, where applicable, for making relevant documents available (the ‘public interface’).

2. The purpose of the public interface shall be to contribute to the proper functioning of the internal market by reducing administrative obstacles to the freedom to provide services and by simplifying administrative requirements, while improving the effective monitoring by Member States of compliance with, and the enforcement of, Union law that aims to ensure the protection of posted workers’ rights, strengthening the related administrative cooperation between the competent authorities designated pursuant to Article 3 of Directive 2014/67/EU (the ‘competent authorities’) and enhancing data collection on the posting of workers.

3. The Commission shall make the public interface available to service providers free of charge.

Article 2

Functionalities of the public interface

1. The public interface shall be available in all the official languages of the Union institutions and shall provide functionalities for:

   (a) creating an account for secure access to a reserved area for service providers, including storing the data for reuse;

   (b) ensuring appropriate and transparent logging of any user activity, including any changes made to posting declarations;

   (c) creating, submitting and managing posting declarations, including technical validation of the data and storing the data for reuse;

   (d) transmitting an extract of the posting declaration to the posted worker electronically, in a retainable and permanent form, containing only data that are relevant to that posted worker, together with a link to the single official national website referred to in Article 5(2), point (a), of Directive 2014/67/EU;

   (e) uploading and submitting relevant documents listed in Article 9(1), second subparagraph, point (b), of Directive 2014/67/EU, provided that the related posting declaration has been submitted through the public interface;

(f) making submitted information available in IMI to the competent authorities of the host Member State and the Member State of establishment of the service provider for the monitoring of compliance with Union law that aims to ensure the protection of posted workers' rights, and for administrative cooperation pursuant to points 6 and 7 of the Annex to Regulation (EU) No 1024/2012;

(g) making submitted documents available in IMI to the competent authorities of the host Member State for the monitoring of compliance with Union law that aims to ensure the protection of posted workers' rights, and for administrative cooperation pursuant to points 6 and 7 of the Annex to Regulation (EU) No 1024/2012;

(h) upon the request of the host Member State, enabling one or more competent authorities of that Member State, in addition, to receive posting declarations, any changes thereto and documents submitted through the public interface in the national back-end system;

(i) upon the request of the Member State of establishment of the service provider, enabling one or more competent authorities of that Member State, in addition, to receive information submitted through the public interface and any changes thereto in the national back-end system;

(j) the exchange of messages between the competent authorities in the host Member State and the service providers, provided that the exchanges are relevant for the content of the posting declaration or for a request to upload the documents referred to in point (e);

(k) making available a link to the single official national website in accordance with Article 5(2), point (a), of Directive 2014/67/EU, which provides information about the applicable terms and conditions of employment and/or which parts of their national and/or regional law are to be applied to workers posted to their territory, and any information relating to the posting declaration and any relevant exemptions;

(l) creating, submitting and managing motivated notifications pursuant to Article 3(1a) of Directive 96/71/EC, including technical validation of data and storing the data for reuse.

2. The Commission shall be responsible for the development, maintenance and operation of the public interface.

3. The Commission shall ensure that the public interface and its contents are accessible to persons with disabilities.

Article 3

Making use of the public interface by Member States

1. Member States may decide to make use of the public interface.

2. Member States' law may require service providers to declare the posting of workers by submitting a declaration in accordance with Article 9(1) of Directive 2014/67/EU through the public interface using the multilingual standard form referred to in Article 4 of this Regulation (the 'standard form'). Where Member States do so, that public interface shall replace any national system for the declaration of the posting of workers.

3. Member States' law may, in addition, require service providers to make available copies of relevant documents necessary for checks and monitoring purposes in accordance with Article 9(1), second subparagraph, point (b), (c) or (d), of Directive 2014/67/EU, by submitting those documents through the public interface within a reasonable time of the request of a competent authority. Where Member States do so, those requirements shall replace any other national requirements to keep or make available such documents, where those documents have been requested and obtained in IMI through the public interface.

4. Member States that make use of the public interface shall not impose any additional posting declaration or information requirements within the meaning of Article 9(1), second subparagraph, point (a), of Directive 2014/67/EU on service providers that submit the posting declaration through the public interface. Member States shall not impose any additional requirements regarding keeping or making available documents within the meaning of Article 9(1), second subparagraph, point (b), (c) or (d), of Directive 2014/67/EU on service providers during or after the period of posting, where those documents have been made available in IMI through the public interface.

5. A Member State that decides to make use of the public interface shall inform the Commission at least six months before the date from which it intends to make use of the public interface.

6. For the purpose of preventing more favourable treatment of undertakings established in a non-Member State than of undertakings established in a Member State, of ensuring adequate working conditions for workers, of promoting fair competition between service providers and of facilitating mutual assistance between Member States' competent authorities, the use of the public interface may, in addition, include declarations submitted by service providers established in a non-Member State that are sending workers to a Member State to provide services, where such declarations are required by the law of the Member State to whose territory the worker is being sent.

A Member State that decides to make use of the public interface pursuant to the first subparagraph of this paragraph shall inform the Commission in accordance with paragraph 5.

7. A Member State that decides to make use of the public interface shall, in due time before such use, adopt provisions, in accordance with this Regulation, which enable service providers posting workers to that Member State to make use of the public interface and to comply with the requirements relating to the public interface and to the standard form and, where relevant, to the uploading of documents.

8. The Commission shall make available on the public interface the list of Member States making use of the public interface. Where a Member State does not make use of the public interface, the Commission shall make a link available on the public interface to that Member State's posting declaration website, where such a link is provided by that Member State.

9. A Member State may cease to make use of the public interface. In such a case, the Member State shall inform the Commission at least three months before the date from which it intends to do so. The Commission shall make available on the public interface information about the cessation of use of the public interface by the Member State concerned.

Article 4

Standard form

1. The standard form shall, in accordance with Article 9(1), second subparagraph, point (a), of Directive 2014/67/EU and on the basis of national law implementing that Directive, consist of the information requirements set out in the Annex to this Regulation which are necessary to allow factual controls at the workplace as referred to in Article 9(1) of Directive 2014/67/EU and relating to:

   (a) the service provider, including the legal representative or another person representing the service provider in administrative or legal proceedings;

   (b) the posted workers, including the anticipated number of clearly identifiable posted workers, the description of the work to be carried out and the indicative level of the hourly rate of pay;

   (c) the posting assignment, including the anticipated duration, the envisaged beginning and end date of the posting, the nature of the services justifying the posting, the working conditions, and collective accommodation if applicable;

   (d) the contact persons designated to liaise with the competent authorities in the host Member State and with the social partners;

   (e) the service recipient, including the legal representative or another person representing the service recipient in administrative or legal proceedings.

2. In the case of a double or chain posting by a temporary employment undertaking or placement agency, as referred to in Article 1(3), first and second subparagraphs, of Directive 96/71/EC, the standard form shall also consist of the information requirements relating to each undertaking, and to the legal representative of the undertaking or another person representing the undertaking in administrative or legal proceedings.

3. For postings of third-country nationals, the standard form shall also consist of the information requirements relating to their residence and work permits or other arrangements of lawful residence or employment, and of the beginning and, if applicable, end date of the employment relationship.

4. Paragraphs 1, 2 and 3 of this Article and the information requirements set out in the Annex to this Regulation shall be without prejudice to other Union law, in particular Article 9(5), second subparagraph, of Directive 2014/67/EU.

5. The Commission shall adopt implementing acts to establish and amend the standard form, reflecting the information requirements set out in the Annex. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 8(2).

6. A Member State that decides to make use of the public interface may decide not to request all the information requirements in the standard form and shall inform the Commission accordingly.

Article 5

Processing and retention of personal data

1. For the purpose of achieving the objectives set out in Article 1 and Article 3(6), personal data referred to in paragraphs 2 and 3 of this Article may be processed in the public interface.

2. The Commission shall be considered to be the controller as defined in Article 3, point (8), of Regulation (EU) 2018/1725 in relation to:

   (a) ensuring the security and availability of the public interface; and

   (b) processing the identification and contact details of the person submitting the posting declaration.

3. The service provider shall be considered to be the controller as defined in Article 4, point (7), of Regulation (EU) 2016/679 for processing:

   (a) the identity and contact details of the service provider and the service recipient;

   (b) the identity of the posted workers;

   (c) the electronic notification address, such as the email address, of a posted worker, to inform the posted worker that a posting declaration has been submitted in relation to that worker;

(d) the address of the posted worker's workplace;

(e) for postings of third-country nationals, the beginning and end date of the employment relationship between the third-country national and the service provider;

(f) the indicative level of the posted worker's hourly rate of pay;

(g) the identity and contact details of the contact person designated to liaise with the competent authorities in the host Member State and with the social partners;

(h) the identity and contact details of the legal representative of, or another person representing, the service provider, the service recipient and the user undertaking in administrative or legal proceedings, respectively;

(i) any personal data contained in documents that are uploaded or submitted through the public interface.

4. Where a Member State receives posting declarations or information and, where applicable, documents, through the public interface in its national back-end system, the competent authority of that Member State shall be considered to be the controller as defined in Article 4, point (7), of Regulation (EU) 2016/679 in respect of the processing of personal data contained in those posting declarations, information or documents.

5. The public interface shall enable all personal data stored therein and in the service providers' accounts to be deleted when those data are no longer needed for the purposes for which they were collected and processed.

The public interface shall enable the sending of a reminder to the service provider to review and, where necessary, delete any personal data in accordance with the first subparagraph.

6. Information and documents relating to a posting which have been submitted through the public interface shall be automatically deleted therefrom 36 months after the end date of the period of posting.

7. In accordance with national law and practice, a Member State may allow the competent authority to provide national social partners and bodies acting on their behalf, as well as other actors with an enforcement function, by means other than in IMI with relevant information available in IMI to the extent necessary and exclusively for the purpose of checking compliance with the posting rules, provided that the information relates to a posting to the territory of the Member State concerned.

Article 6

Processing of information and documents submitted through the public interface

1. Information and documents submitted through the public interface shall be made available in IMI to the competent authorities of the host Member State, in order to achieve the objectives set out in Article 1 and Article 3(6). Information submitted through the public interface shall also be made available in IMI to the competent authorities of the Member State of establishment of the service provider.

2. The European Labour Authority shall receive statistical data based on posting declarations submitted through the public interface.

Article 7

Amendment to Regulation (EU) No 1024/2012

In the Annex to Regulation (EU) No 1024/2012, the following point is added:

‘16. Regulation (EU) 2026/… of the European Parliament and of the Council of … on a public interface, connected to the Internal Market Information System, for the declaration of the posting of workers and amending Regulation (EU) No 1024/2012[*+].

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[*] OJ L …, ELI: …’.

[+] OJ: Please insert in the text the number and date of adoption of this Regulation (2024/0301(COD)) and in the corresponding footnote publication reference of this Regulation, including its ELI number.

Article 8

Committee procedure

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Article 9

Evaluation

By … [five years from the date of entry into force of this Regulation], the Commission shall submit a report to the European Parliament, to the Council and to the Economic and Social Committee on the experience gained in the application of this Regulation. The report shall include an assessment of the extent to which this Regulation has been successful in reducing administrative obstacles to the freedom to provide services, in contributing to the proper functioning of the internal market by simplifying administrative requirements, in improving the effective monitoring by Member States of compliance with and enforcement of Union law that aims to ensure the protection of posted workers' rights, and in strengthening the related administrative cooperation between the competent authorities.

Without prejudice to the voluntary nature of the public interface, the report shall also examine the possibility of exploring further development of the public interface with a view to facilitating the widest possible take-up by Member States and the possibility of bringing posting declarations and applications for a portable document A1 more closely together technically.

The Commission shall also examine whether the information requirements set out in the Annex remain necessary and proportionate for the effective monitoring by Member States of compliance with Union law, including with regard to working conditions of posted workers.

The Commission shall take into account the opinion of the relevant stakeholders, including national enforcement authorities, social partners and the service providers, in particular SMEs.

The report shall, where appropriate, be accompanied by a proposal to amend this Regulation.

Article 10

Entry into force

This Regulation shall enter into force three months following the date of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at …, …

For the European Parliament	*For the Council*
The President	*The President*

ANNEX

Information requirements to be included in the standard form

A. Information relating to the service provider

1. The identity of the person submitting the posting declaration:

   (a) name;

   (b) telephone number;

   (c) email address.

2. Type of posting:

   (a) posting under a contract for service;

   (b) intra-group posting; or

   (c) posting by a temporary employment undertaking or a placement agency.

3. An indication of any chain or double posting.

4. For posting as a subcontractor, the name of the main contractor and, if available, the EU VAT identification number of the main contractor; if not available, the business registration number of the main contractor in the country of establishment.

5. The name of the service provider.

6. The country of establishment of the service provider.

7. The postal address (street, house number, postcode, town, country) of the service provider.

8. The telephone number and the email address of the service provider.

9. The field of business (NACE classification with free text to identify NACE classification, voluntary free text field for additional comments) of the service provider.

10. If available, the EU VAT identification number of the service provider; if not available, the business registration number of the service provider in the country of establishment.

11. The business registration number of the service provider in the country of establishment.

12. The given name and surname and the address (street, house number, postcode, town, country) of the legal representative or another person representing the service provider in administrative or legal proceedings.

13. If applicable, the number of the authorisation to carry out temporary employment undertaking or placement agency activities in the country of establishment of the undertaking or agency and the justification for the use of a temporary employment undertaking or a placement agency.

B. Information relating to the posted worker[1]

1. The given name and surname.

2. Date of birth.

3. The job title or description of the work to be carried out during the posting.

4. Passport number or national identity card number corresponding to the form of identification used by the posted worker during the stay in the host Member State.

5. Nationality (for Union and third-country nationals).

6. The email address, for the purposes of the transmission by the public interface of an extract of the posting declaration to the posted worker, where applicable.

[1] To be completed for each posted worker.

7. For postings of third-country national, confirmation of a valid residence and work permit or other arrangement of lawful residence and employment in the Member State of establishment of the service provider and the beginning and, if applicable, the end date of the employment relationship with the service provider.

8. The country of affiliation for social security purposes.

9. An indicative level of the hourly rate of pay of the posted worker.

C. Information relating to the posting[2]

1. The anticipated beginning and end date of the posting.

2. An indication whether the posting is a replacement of a posted worker by another posted worker performing the same task at the same place.

3. The nature of the service provided or the nature of the activity (NACE classification with free text to identify NACE classification, voluntary free text field for additional comments).

4. For services provided in the construction sector, an indication of registration in relevant national registers of the host Member State.

[2] To be completed for each posted worker.

5. The address of the workplace:

   (a) the address of the service recipient if it is the workplace; and

   (b) any other workplaces (street, house number, postcode, town, country, geographical coordinates or number plate of the motor vehicle and telephone number).

6. An indication of the anticipated working periods.

7. The availability of documents:

   (a) with the contact person designated to liaise with the competent authorities;

   (b) at the workplace;

   (c) at another location (street, house number, postcode, town, country);

   (d) electronically; or

   (e) submitted through the public interface.

8. The postal address (street, house number, postcode, town, country or geographical coordinates) of any collective accommodation provided by the employer.

D. Information relating to the contact person designated to liaise with the competent authorities in the host Member State and with the social partners[3]

1. Whether the contact person is:

   (a) one of the posted workers;

   (b) another person; or

   (c) an undertaking.

2. The given name and surname, or the name of the undertaking.

3. The telephone number.

4. The email address.

5. In the case of points 1(b) and (c), the address (street, house number, postcode, town, country).

6. In the case of point 1(c), if available, the EU VAT identification number of the undertaking; if not available, the business registration number of the undertaking in the country of establishment.

[3] Where there are two different contact persons, information in points 1 to 6 must be filled in for both persons.

E. Information relating to the service recipient

If in Section A, point 2, one of the following types of posting has been indicated: posting under a contract for service or intra-group posting:

1. Whether the service recipient is an undertaking or a natural person.

2. Where the service recipient is an undertaking:

   (a) the name;

   (b) the address (street, house number, postcode, town, country);

   (c) the email address;

   (d) the telephone number;

   (e) if available, the EU VAT identification number of the service recipient; if not available, the business registration number of the service recipient in the Member State of establishment;

   (f) the given name and surname and the address (street, house number, postcode, town, country) of the legal representative or another person representing the service recipient in administrative or legal proceedings.

If in Section A, point 2, the following type of posting has been indicated: posting by a temporary employment undertaking or placement agency[4]:

(a) the name of the user undertaking;

(b) the address of the user undertaking (street, house number, postcode, town, country);

(c) the email address of the user undertaking;

(d) the telephone number of the user undertaking;

(e) if available, the EU VAT identification number of the user undertaking; if not available, the business registration number of the user undertaking in the Member State of establishment;

(f) the given name and surname and the address (street, house number, postcode, town, country) of the legal representative of the user undertaking or another person representing the user undertaking in administrative or legal proceedings.

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[4] If in section A, point 3, a chain or double posting is indicated, the information in points (a) to (f) of this sub-section must be completed for each undertaking concerned.