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| **Single application procedure for residence and work \*** | |  |  |  | | --- | --- | --- | | [http://www.europarl.europa.eu/img/struct/functional/top_doc.gif](http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+20081120+ITEMS+DOC+XML+V0//EN#top) | [http://www.europarl.europa.eu/img/struct/functional/sort_down.gif](http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+20081120+ITEMS+DOC+XML+V0//EN#title7) | [http://www.europarl.europa.eu/img/struct/functional/sort_up.gif](http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+20081120+ITEMS+DOC+XML+V0//EN#title5) | |
| |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | **European Parliament legislative resolution of 20 November 2008 on the proposal for a Council directive on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State (**[**COM(2007)0638**](http://ec.europa.eu/prelex/liste_resultats.cfm?CL=en&ReqId=0&DocType=COM&DocYear=2007&DocNum=0638) **– C6-0470/2007 –** [**2007/0229(CNS)**](http://www.europarl.europa.eu/oeil/FindByProcnum.do?lang=2&procnum=CNS/2007/0229) **)** | |  |  |  |  | | --- | --- | --- | --- | | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | P6\_TA-PROV(2008)0558 | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | [**A6-0431/2008**](http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A6-2008-0431&language=EN&mode=XML) | |   **(Consultation procedure)**   *The European Parliament* ,  –   having regard to the Commission proposal to the Council ([**COM(2007)0638**](http://ec.europa.eu/prelex/liste_resultats.cfm?CL=en&ReqId=0&DocType=COM&DocYear=2007&DocNum=0638) ),  –   having regard to Article 63(3)(a) of the EC Treaty,  –   having regard to Article 67 of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0470/2007 ),  –   having regard to Rule 51 of its Rules of Procedure,  –   having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinion of the Committee on Employment and Social Affairs ([**A6-0431/2008**](http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A6-2008-0431&language=EN&mode=XML) ),  1.   Approves the Commission proposal as amended;  2.   Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;  3.   Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;  4.   Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;  5.   Instructs its President to forward its position to the Council and the Commission.   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | | |  |  |  | | --- | --- | --- | | ***Text proposed by the Commission*** |  | ***Amendment*** | | **Amendment 2  Proposal for a directive  Recital 7 a (new)** | | | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***(7a)***    ***The period of validity of the single permit is to be determined by each Member State.*** | | **Amendment 3  Proposal for a directive  Recital 10** | | | | (10)   All third-country nationals who are lawfully residing and working in Member States should enjoy at least the same common set of rights in the form of equal treatment with the own nationals of their respective host Member State, irrespective of the initial purpose of or basis for admission. The right to equal treatment in the fields specified by this Directive should be granted not only to those third-country nationals who have been admitted to the territory of a Member State to work but also for those who have been admitted for other purposes and have been given access to the labour market of that Member State in accordance with other Community or national legislation including family members of a third-country worker who are admitted to the Member State in accordance with Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification, third-country nationals who are admitted to the territory of a Member State in accordance with Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service and researchers admitted in accordance with Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research. | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | (10)   All third-country nationals who are lawfully residing and working in Member States should enjoy at least the same common set of rights ***related to work*** in the form of equal treatment with the own nationals of their respective host Member State, irrespective of the initial purpose of or basis for admission. The right to equal treatment in the fields specified by this Directive should be granted not only to those third-country nationals who have been admitted to the territory of a Member State to work but also for those who have been admitted for other purposes and have been given access to the labour market of that Member State in accordance with other Community or national legislation including family members of a third-country worker who are admitted to the Member State in accordance with Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification, third-country nationals who are admitted to the territory of a Member State in accordance with Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service and researchers admitted in accordance with Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research. | | **Amendment 4  Proposal for a directive  Recital 13** | | | | (13)   Third-country nationals who have been admitted to the territory of a Member State ***for a period not exceeding 6 months in any twelve-month period*** to work on a seasonal basis should not be covered by the Directive given their temporary status. | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | (13)   Third-country nationals who have been admitted to the territory of a Member State to work on a seasonal basis should not be covered by the Directive given their temporary status ***and the fact that they will be governed by a specific directive*** . | | **Amendment 5  Proposal for a directive  Recital 13 a (new)** | | | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***(13a)***    ***Beneficiaries of temporary protection should be subject to this Directive as regards the common set of rights, as they are authorised to work legally within the territory of a Member State.*** | | **Amendment 6  Proposal for a directive  Recital 18 a (new)** | | | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***(18a)***    ***This Directive should be implemented without prejudice to more favourable provisions contained in EU legislation and international instruments.*** | | **Amendment 53  Proposal for a directive  Recital 18 b (new)** | | | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***(18b)***    ***Member States should ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by the General Assembly of the United Nations on 18 December 1990.*** | | **Amendment 7  Proposal for a directive  Recital 19** | | | | (19)   Member States should give effect to the provisions of this Directive without discrimination on the basis of sex, race, colour, ethnic or social origin, genetic characteristics, language, religion or beliefs, political or other opinions, membership of a national minority, fortune, birth, disabilities, age or sexual orientation in particular in accordance with Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation. | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | (19)   Member States should give effect to the provisions of this Directive without discrimination on the basis of sex, race, colour, ethnic or social origin, genetic characteristics, language, religion or beliefs, political or other opinions, membership of a national minority, fortune, birth, disabilities, age or sexual orientation in particular in accordance with Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin *and* Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation***, and in accordance with future legislation in this field, such as that to be brought in under the proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation (***[***COM(2008)0426***](http://ec.europa.eu/prelex/liste_resultats.cfm?CL=en&ReqId=0&DocType=COM&DocYear=2008&DocNum=0426) ***)*** . | | **Amendment 8  Proposal for a directive  Article 1 – point a** | | | | *(a)* a single application procedure for issuing a single permit for third country nationals to reside and work in the territory of a Member State, in order to simplify their admission and to facilitate the control of their status and; | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | *(a)* a single application procedure for issuing a single permit for third country nationals to reside and work in the territory of a Member State, in order to simplify ***the procedure for*** their admission and to facilitate the control of their status and; | | **Amendment 9  Proposal for a directive  Article 1 – point b** | | | | *(b)* a common set of rights to third country workers legally residing in a Member State. | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | *(b)* a common set of rights to third-country workers legally residing in a Member State***, irrespective of the purposes for which they were initially admitted to the territory of a Member State*** . | | **Amendment 10  Proposal for a directive  Article 1 – paragraph 1 a (new)** | | | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***This Directive shall not affect the competence of the Member States with respect to the admission of third-country nationals to their labour markets.*** | | **Amendment 11  Proposal for a directive  Article 2 – point d** | | | | (d) "single application procedure" means any procedure leading***, on the basis of one application for the authorisation of a third-country national's residence and work in the territory of a Member State, to a decision on the single permit for that third-country national*** . | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | (d) "single application procedure" means any procedure leading ***to a decision on the single permit authorising a third-country national to reside and work in the territory of a Member State, on the basis of an application by that third-country national or by his or her future employer;*** | | **Amendment 12  Proposal for a directive  Article 2, paragraph d a (new)** | | | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***(da) "frontier work" means performing work in a Member State other than the Member State of residence when the work is performed by a frontier worker as referred to in Article 1(b) of Regulation (EEC) No 1408/71.*** | | **Amendment 13  Proposal for a directive  Article 3 – paragraph 1 – point b** | | | | (b) to third-country workers legally residing in a Member State. | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | (b) to third-country workers legally residing in a Member State***, irrespective of the purposes for which they were initially admitted to the territory of a Member State*** . | | **Amendment 14  Proposal for a directive  Article 3 – paragraph 2 – introductory part** | | | | 2.   ***This Directive*** shall not apply to third-country nationals: | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | 2.   ***The provisions of this Directive concerning the single application procedure for issuing a single permit authorising third-country nationals to live and work in the territory of a Member State*** shall not apply to third-country nationals: | | **Amendment 15  Proposal for a directive  Article 3 – paragraph 2 – point d** | | | | (d) who have been admitted to the territory of a Member State ***for a period not exceeding six months in any 12 month period*** to work on a seasonal basis; | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | (d) who have been admitted to the territory of a Member State to work on a seasonal basis; | | **Amendment 16  Proposal for a directive  Article 3 – paragraph 2 – point d a (new)** | | | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***(da) who have been admitted to the territory of a Member State in order to work there for a period not exceeding six months, solely so far as the field of the single application procedure is concerned;*** | | **Amendment 17  Proposal for a directive  Article 3 – paragraph 2 – point f** | | | | (f) staying in a Member State as applicants for international protection ***or under temporary protection schemes*** ; | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | (f) staying in a Member State as applicants for international protection; | | **Amendment 18  Proposal for a directive  Article 4 – paragraph 1 a (new)** | | | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***1a.***    ***It shall be the responsibility of Member States to determine whether the application for a single permit must be submitted by the third-country national concerned, by his or her future employer or by either of them*** . | | **Amendment 19  Proposal for a directive  Article 4 – paragraph 1 b (new)** | | | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***1b.***    ***Where an application for a single permit is submitted by the third-country national concerned, that application may be submitted and examined either when the third-country national is residing outside the territory of the Member State to which he or she wishes to be admitted or when he or she is already legally in the territory of the Member State concerned.*** | | **Amendment 20  Proposal for a directive  Article 5 – paragraph 2 – subparagraph 1 a (new)** | | | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***If the applicant's permit expires before a decision has been taken on its renewal, the Member State responsible for considering the application shall authorise the person concerned and, where applicable, his or her family, to stay legally in its territory until a decision is taken concerning the renewal of the single permit.*** | | **Amendment 21  Proposal for a directive  Article 5 – paragraph 4** | | | | 4.   If the information supporting the application is ***inadequate*** , the designated authority shall notify the applicant of the additional information that is required. The period referred to in paragraph 2 shall be suspended until the authorities have received the additional information required. | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | 4.   If the information supporting the application is ***incomplete according to publicly specified criteria*** , the designated authority shall notify the applicant of the additional information that is required. The period referred to in paragraph 2 shall be suspended until the authorities have received the additional information required. | | **Amendment 22  Proposal for a directive  Article 5 – paragraph 4 a (new)** | | | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***4a.***    ***Where the time limit for adopting the decision referred to in paragraph 2 is suspended or extended, the applicant shall be duly informed by the competent authority.*** | | **Amendment 24  Proposal for a directive  Article 6, paragraph 2 a (new)** | | | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***2a.***    ***A Member State may issue to the holder of a single permit issued by another Member State a permit enabling him to perform frontier work. Such a permit shall be issued pursuant to the national law of the Member State where the frontier work is performed. The period of validity of such a permit may not exceed that of the single permit.*** | | **Amendment 25  Proposal for a directive  Article 8 – paragraph 1** | | | | 1.   Reasons shall be given in the written notification for a decision rejecting the application, not granting, not modifying or not renewing, suspending or withdrawing the single permit on the basis of criteria specified in national or community law. | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | 1.   ***Objective and verifiable*** reasons shall be given in the written notification for a decision rejecting the application, not granting, not modifying or not renewing, suspending or withdrawing the single permit on the basis of criteria specified in national or community law. ***Those criteria shall be objective and open to the public, so that the decision can be verified.*** | | **Amendment 26  Proposal for a directive  Article 8 – paragraph 2** | | | | 2.   Any decision rejecting the application, not granting, modifying or renewing, suspending or withdrawing a single permit shall be open to challenge before the ***courts*** of the Member State concerned. The written notification shall specify the possible redress procedures available and the time-limit for taking action. | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | 2.   Any decision rejecting the application, not granting, modifying or renewing, suspending or withdrawing a single permit shall be open to challenge before the ***competent authority*** of the Member State concerned ***designated in accordance with national law*** . The written notification shall specify the possible redress procedures available***, including the authority responsible*** and the time-limit for taking action. ***The challenge shall suspend the administrative decision until the final court decision is taken.*** | | **Amendment 27  Proposal for a directive  Article 9** | | | | Member States shall take the necessary measures to inform the third-country national and the future employer on all the documentary evidence they need in order to complete the application. | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***The Member States shall ensure that regularly updated information concerning the conditions of third-country nationals" entry into and stay in their territory for the purpose of work is made available to the general public, including via their consulates. In particular,*** Member States shall take the necessary measures to inform the third-country national and the future employer on all the documentary evidence they need in order to complete the application***, and of the total fees payable for the processing of their application*** . | | **Amendment 28  Proposal for a directive  Article 10** | | | | Member States may request applicants to pay fees for handling applications in accordance with this Directive. The level of fees must be proportionate and ***may be based on the principle of the service actually provided.*** | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | Member States may request applicants to pay fees for handling applications in accordance with this Directive. The level of fees must be proportionate and ***reasonable and shall not exceed the actual costs incurred by the national administration*** . ***An overall maximum amount shall be fixed in national law, including, where appropriate, the costs of subcontracting incurred through the use of external firms to collect the documents necessary for compiling a file with a view to obtaining a permit.*** | | **Amendment 29  Proposal for a directive  Article 11 – introductory part** | | | | During the period of its validity, the single permit shall entitle its holder as a minimum to: | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | During the period of its validity***, as determined by each Member State*** , the single permit shall entitle its holder as a minimum to: | | **Amendment 30  Proposal for a directive  Article 11 – point c** | | | | (c) have free access to the entire territory of the Member State issuing the single permit within the limits provided for by national legislation for reasons of security; | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | (c) have free access to the entire territory of the Member State issuing the single permit. ***Member States may impose territorial restrictions on exercise of the right of residence and the right to work*** within the limits provided for by national legislation for reasons of security ***where the same restrictions apply to their own nationals*** ; | | **Amendment 31  Proposal for a directive  Article 11 a (new)** | | | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***Article 11a*** | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***Notification and information*** | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***The notification and information referred to in Articles 5, 8 and 9 shall be communicated in such a way that the applicant is able to understand their content and implications.*** | | **Amendment 32  Proposal for a directive  Article 12 - paragraph 1 - point a** | | | | (a) working conditions, including pay and dismissal as well as health and safety at the workplace; | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | (a) working conditions, including pay***, holidays, working time*** and dismissal as well as health and safety at the workplace; | | **Amendment 33  Proposal for a directive  Article 12 – paragraph 1 – point b** | | | | (b) freedom of association and affiliation and membership of an *organization* representing workers or employers or of any *organization* whose members are engaged in a specific occupation, including the benefits conferred by such *organizations* , without prejudice to the national provisions on public policy and public security; | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | (b) freedom of association and affiliation and membership of an *organisation* representing workers or employers or of any *organisation* whose members are engaged in a specific occupation, including the benefits conferred by such *organisations* , ***such as information and support,*** without prejudice to the national provisions on public policy and public security; | | **Amendment 34  Proposal for a directive  Article 12 – paragraph 1 – point c** | | | | (c) education and vocational training; | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | (c) education ***in the broad sense of the term (language learning and cultural familiarisation with a view to improving integration)*** and vocational training; | | **Amendment 35  Proposal for a directive  Article 12 – paragraph 1 – point d** | | | | (d) recognition of diplomas, certificates and other professional qualifications in accordance with the relevant national procedures; | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | (d) recognition of diplomas, certificates and other professional qualifications in accordance with the relevant national procedures ***applicable pursuant to Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications*** ***1*** . | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***1*** ***OJ L 255, 30.9.2005, p. 22.*** | | **Amendment 36  Proposal for a directive  Article 12 - paragraph 1 - point f** | | | | (f) ***payment*** of ***acquired*** pensions ***when moving to a third country*** ; | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | (f) ***portability*** of pensions ***or annuities in respect of old age, death, or invalidity at the rate applied by virtue of the law of the debtor Member State or States when moving to a third country*** ; | | **Amendment 37  Proposal for a directive  Article 12 - paragraph 1 - point g** | | | | (g) tax benefits; | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | (g) tax benefits***, provided that the worker is considered to be resident for tax purposes in the Member State concerned*** ; | | **Amendment 38  Proposal for a directive  Article 12 – paragraph 1 – point h a (new)** | | | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***(ha) information and advisory services offered by employment agencies;*** | | **Amendment 39  Proposal for a directive  Article 12 – paragraph 2 – introductory part** | | | | 2.   Member States may restrict equal treatment with nationals: | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | 2.   Member States may restrict equal treatment with nationals ***only in the following cases*** : | | **Amendment 42  Proposal for a directive  Article 12 – paragraph 2 - point c** | | | | (c) by restricting the rights conferred under paragraphs 1(h) in respect to ***public*** housing ***to cases where the third-country national has been staying or who has the right to stay in its territory for at least three years;*** | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | (c) by restricting the rights conferred under paragraphs 1(h) in respect to housing; | | **Amendment 43  Proposal for a directive  Article 12 – paragraph 2 - point d** | | | | ***(d) by restricting the rights conferred under paragraphs 1(a), (b) and (g) to those third-country workers who are in employment;*** | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***deleted*** | | **Amendment 44  Proposal for a directive  Article 12 – paragraph 2 - point e** | | | | ***(e) by restricting the rights conferred under paragraphs 1(e) to third-country workers who are in employment except for unemployment benefits.*** | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***deleted*** | | **Amendment 45  Proposal for a directive  Article 12 – paragraph 2 a (new)** | | | |  | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***2a.***    ***Member States shall take the necessary measures to ensure that any violation of the rights enshrined in this Directive is subject to effective, proportionate and deterrent penalties*** . | | **Amendment 47  Proposal for a directive  Article 14** | | | | ***Each Member State shall ensure that a regularly updated set of information, concerning the conditions of third-country nationals' entry into and stay in its territory for the purpose of work, is made available to the general public.*** | http://www.europarl.europa.eu/img/struct/navigation/spacer.gif | ***deleted*** | | | |