



Department for  
Business, Energy  
& Industrial Strategy

Andrew Griffiths MP

Department for Business, Energy &  
Industrial Strategy  
1 Victoria Street  
London  
SW1H 0ET

Sir William Cash MP  
Chair  
European Scrutiny Committee  
House of Commons  
London  
SW1A 0AA

T +44 (0) 20 7215 5000  
E enquiries@beis.gov.uk  
W www.gov.uk

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Dear Bill,

**6987/16: proposal for a Directive amending 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**

My predecessor Margot James MP wrote to you last on 22 December, providing an update on progress of this file and further information about the government's position in relation to the General Approach at EPSCO Council in October 2017.

I am pleased to be able to write to you now to inform you of the completion of trilogues. The final trilogue occurred on 19 March, and a debrief was provided to Coreper by the Presidency on 21 March. We anticipate that Coreper will be asked for approval of the text agreed in trilogues on 11 April. If there is a qualified majority in favour of adopting the new Directive, it will be formally adopted at a Council meeting, at a date to be confirmed.

The Government's position on this file has been to recognise the low impact on the UK's legal framework of the revisions to the Directive, and to seek a final text that has legal clarity and provides an appropriate balance between protections for posted workers and limits on the burdens placed on businesses providing services between Member States.

You will recall that the government abstained on the General Approach in October 2017 as we could not support the balance of the proposed text. In the round, we do not believe that the balance of the text has materially changed throughout trilogues. While some aspects of the text have become clearer, there are some areas where the text is now more legally ambiguous.

Given the overall position of the final text for the new Directive, we expect that our approach to the discussion on adoption at Coreper will be guided by the same considerations and be consistent with our position on the General Approach.

I will write to you again after the vote on adoption of this file.

I am copying this letter to Lord Boswell, Chair of the Lords European Union Committee; Chris Johnson, Clerk to the Lords Committee; Les Saunders, DExEU; and Jenny Steinitz, BEIS.

Yours sincerely

A handwritten signature in blue ink that reads "Andrew Griffiths". The signature is written in a cursive, slightly stylized font.

**ANDREW GRIFFITHS MP**  
Minister for Small Business, Consumers & Corporate Responsibility