

List of Parliamentary reports mentioning the need for a European statute for mutual societies

Report of the Constitutional Affairs Committee on the “Outcome of the screening of legislative proposals pending before the legislator” P6_TA(2006)0206

Rapporteur: Sylvia-Yvonne Kaufmann (GUE, DE)
Opinion: JURI Committee - Maria Berger (PSE, AT)

“Welcomes the fact that the Commission takes account of the objectives of the Lisbon Agenda before proposing that a legislative proposal should be withdrawn; regrets therefore that the Commission has withdrawn the proposal for a directive on the Statute for a European mutual society despite the fact that it is one of the key elements of the Lisbon Strategy; expresses its surprise that the Commission adduces the diversity of national legislations as an argument against Community initiatives; calls on the Commission, therefore, to adopt an initiative before the end of the year to enable a Statute for a European mutual society and a European association to be drafted”.

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P6-TA-2006-0206+0+DOC+PDF+V0//EN>

Report of the JURI Committee on “Recent developments and prospects in company law”: P6_TA(2006)0295

Rapporteur: Andrzej Szejna (PSE, PL)
Opinion: ECON Committee - Klaus-Heiner Lehne (PPE-ED, DE)

“Strongly deplors the fact that the Commission has already decided to withdraw the two proposals for a regulation on a Statute for a European association(1991/0386(COD))and for a regulation on a Statute for a European mutual society (1991/0390(COD)) and the two proposals for directives supplementing those Statutes with regard to the involvement of employees (1991/0387(COD) and 1991/0391(COD));

Notes, however, that, in its 2003 Action Plan, the Commission announced its intention actively to support the legislative process undertaken in relation to those statutes, in response to the desire expressed by Parliament for significant attention to be given to the development of new legal forms of enterprises; regards those proposals as useful instruments for the development of economic activity throughout Europe by associations and mutual societies;

Calls on the Commission to submit new proposals for statutes for European mutual societies and European associations;

<http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A6-2006-0229&language=EN>

Report of the ECON Committee on « Towards further consolidation in the financial services industry »: P6_TA(2006)0294

Rapporteur : Joseph Muscat (PSE, MT)

“Believes that the diversity of financial institutions, which better reflects the variety of financing needs of corporate entities, SMEs and consumers, should be preserved and that, therefore, EC legislation should not favour any single type of business model or corporate structure or any single type of product over another;

Considers that the architecture of financial services at EU level should be such as to guarantee the co-existence of different structures and sizes in order to provide for efficient and competitive players both at international level and within proximity networks;

Believes that the diversity of financial products must be ensured in order to meet the different and shifting needs of consumers.”

<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P6-TA-2006-0294&language=EN&ring=A6-2006-0170>

Report of the Employment and Social Affairs Committee on a “European Social Model for the future” P6_TA(2006)0340.

Rapporteurs: José Albino Silva Peneda (ALDE, PT), Proinsias de Rossa (PSE, IE)

“Calls on the Commission to respect the social economy and to present a communication on this cornerstone of the European social model, as well as to introduce a statute for a European mutual society and a European association”

<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P6-TA-2006-0340>

Report of the ECON committee on the Green Paper on retail financial services in the single market P6_TA(2008)0261

Rapporteur: Othmar Karas (EPP-ED, AT)

Opinion: Internal market committee Olle Schmidt (ALDE, SE)

“Notes the important role that mutual insurers play in the EU insurance market, with 68 % of insurance companies with a 25 % market share, serving more than 230 million European citizens; stresses that current tools to develop business in the internal market are not compatible with the mutual corporate structure;

Points out that a statute for a European mutual society would allow mutual insurers to operate at the same level as other insurance undertakings, in particular in a cross-border situation, thus increasing the offer of insurance products; emphasises that mutual organisations, because of their governance, which directly involves their customers,

contribute to increased overall consumer confidence in the EU financial markets; strongly believes that the participative design of governance of mutual organisations is capable of increasing customer awareness of and participation in the financial markets;

Notes that real and fair competition can arise only on a level playing field; concludes that any legislation must follow the principle ‘same business, same risks, same rules’; points out, however, that in the financial services sector, product design is particularly influenced by the regulatory environment and an that undifferentiated ‘one-size-fits-all’ approach would adversely affect product diversity; stresses, thus, the importance of differentiating according to the type of product; is convinced, however, that comparable transparency and disclosure requirements for competing investment products, are needed, in particular, at the point of sale; regrets that, so far, the issue of complex financial products has not been properly addressed; calls upon the Commission, therefore, to address unjustified inconsistencies and other shortcomings of the regulatory framework concerned;”

<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P6-TA-2008-0261>

Report of the Committee on Employment and Social Affairs on Social Economy P6_TA(2009)0062

Rapporteur: Patrizia Toia (ALDE, IT)

Recognising the concept of the social economy

“Points out that the diversity of entrepreneurial forms has been recognised in the EC Treaty and by adoption of the Statute for a European cooperative society;

Points out that the Commission has repeatedly recognised the concept of the social economy;

Asks the Commission to promote the social economy in its new policies and to defend the social economy’s concept of ‘a different approach to entrepreneurship’, which is not driven mainly by the profit motive but by social benefit, to ensure that the particular features of the social economy are properly taken into account in the framing of legislation;

. Takes the view that the European Union and the Member States should recognise the social economy and its stakeholders – cooperatives, mutual societies, associations and foundations – in their legislation and policies; suggests that those measures include easy access to credit and tax relief, the development of microcredits, the establishment of European statutes for associations, foundations and mutual societies, as well as tailored EU funding and incentives to better support social economy organisations operating within market and non-market sectors, which are created for the purpose of social utility;

Legal recognition: European statutes for associations, foundations and mutual societies

Notes that there is a need for the recognition of European statutes for associations, mutual societies and foundations to ensure that social economy enterprises benefit from equal treatment in internal market law; considers that the Commission’s withdrawal of its proposals for a European Mutual Society Statute¹ and a European Association Statute² is a

¹ OJ C 99, 21.4.1992, p. 40.

² OJ C 99, 21.4.1992, p. 1.

significant setback for the development of these forms of social economy within the EU; therefore urges the Commission to review its work programme accordingly;

Calls on the Commission to follow up the feasibility report on the Statute for a European foundation to be published by the end of 2008 and to launch an impact assessment of the Statutes for a European association and a European mutual society;

Calls on the Commission to ensure that the European Private Company will be a form of company that may be adopted by all types of businesses;”

<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P6-TA-2009-0062&language=EN&ring=A6-2009-0015>