



**Public Services Intergroup (SGI-SSGI)
Intergroupe Services publics (SIG-SSIG)**

Article 14 TFEU – Protocol n°26 on SGI TEU-TFEU

Hearing on article 14 TFEU

Public consultation

Reply by the 15th of March to be send to
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Public consultation on article 14 TFEU¹

1. Do you consider the new article 14 as a main change in the treatment of SGEI by the Treaty, both from a legal point of view and from an institutional one?
2. What could be the “PRINCIPLES which enable SGEI to fulfil their missions” to be established at the EU level on the basis of article 14?
3. What could be the concrete “CONDITIONS which enable SGEI to fulfil their missions” to be set at the EU level on the basis of article 14?
4. Among the following EU Laws and rulings applying to SGEI, what are the provisions which have a negative impact on the performance of their missions (please give concrete cases and impact)?
 - **Altmark Ruling** C 280/00 of 24th July 2003, OJEU C226 of 29th September 2003 :
 - **Decision relating to the application of article 86(2) of the EC Treaty** to State aid as a form of public service compensation granted to certain undertakings entrusted by an operation of services of general economic interest, COM 2005 267 of 28th November 2005, OJEU L312 of 29th November 2005 :
 - **Community framework relating to State aid as a form of public service compensation**, COM 2005 of 28th November 2005, 2005/C 297/04 OJEU C 297/4 :
 - **Transparency in financial relations** Directive 2006/111/EC of 16th November 2006, OJEU L 318/17 of 17th November 2006 :
 - **Services in the internal market**, directive 2006/123/ EC of 12th December 2006, OJEU L376 of 27th December 2006 :
 - **Public contracts**, directive 2004/18/EC of 31st March 2004, OJEU L134 of 30th April 2004.
 - **Others provisions :**

¹ “Without prejudice to Article 4 of the Treaty on European Union or to Articles 93, 106 and 107 of this Treaty, and given the place occupied by services of general economic interest in the **shared values** of the Union as well as their **role in promoting social and territorial cohesion**, the Union and the Member States, each within their respective powers and within the scope of application of the Treaties, **shall take care that such services operate on the basis of principles and conditions, particularly economic and financial conditions, which enable them to fulfil their missions.**

The European Parliament and the Council, acting by means of regulations in accordance with the ordinary legislative procedure, shall establish these principles and set these conditions without prejudice to the competence of Member States, in compliance with the Treaties, to provide, to commission and to fund such services.”