

# MIPACT



Directive 2020/1057

**A** The posting of workers is a consequence of the fundamental principles of free movement, free establishment and free provision of services established in the TFEU.



Regulation 2020/1054

**B** A posted worker is considered to be one who, temporarily, provides his or her pre-established services in another Member State (called the host state), other than the state of origin.



Regulation 2020/1055

**C** A road transport driver is considered "posted" when he carries out any of the following transport operations in a Member State other than that of establishment of the employer:

Cross-border operations, Cross-trade, [operations of non-bilateral cross trade]: These are transport operations between two Member States, or between a Member State and a third country, other than the country of establishment of the carrier.

In the initial or final section of certain combined transport operations, provided that the section is a non-bilateral or cabotage operation.

Cabotage operations: These are national transport operations on behalf of others carried out, on a temporary basis, in the territory of a host Member State by an operator established in another Member State.

## The posting of workers in Directive 2020/1057



### Regulation 2020/1054 Regulation 2020/1055

**D**

On the contrary, a driver is not considered displaced in the following cases, in which the driver must manually register the border crossing:

In additional limited loading and/or unloading activities.

On the initial or final journey of a combined transport operation.

In international bilateral transport operations, based on a contract of transport from the Member State in which the operator is established to another Member State or a third country, or from another Member State or a third country to the Member State of establishment.

In transit through the territory of a Member State without carrying out any loading or unloading activity.

