

Ladies and gentlemen:

I had a good and constructive meeting with my Polish counterpart today regarding the introduction of the statutory minimum wage in Germany which will naturally also affect many workers and enterprises in Poland and other neighbouring states.

As you know, the European Commission and many countries in the European Union have expressly welcomed the introduction of a minimum wage.

However, a legal uncertainty has arisen regarding one matter in particular that has been a source of concern in our neighbouring countries during the last weeks. The matter at issue is the application of the minimum wage to purely transit journeys through Germany, the attendant documentation requirements and possible penalties in the event of violations.

In light of this, the European Commission launched a pilot process on the 21st of January to clarify in particular whether the application of the German minimum wage to purely transit journeys through Germany is compatible with EU law. We expressly welcome this process and Germany will participate in it voluntarily. It will enable us to address the differing legal viewpoints within a reasonable timeframe. In this connection, I would like to explicitly point out that in the Federal Government's view the current solution is in conformance with EU law and that we will also be making this clear during the pilot process.

In view of this and with consideration for our neighbours we have therefore decided within the Federal Government

“to provide with immediate effect - and limited to the area of **pure transit through Germany** - the following interim solution for the time until the issues arising under European law that concern the application of the Minimum Wage Act to the transport sector have been clarified:

- The checks performed by state agencies to monitor compliance with the Minimum Wage Act will be - limited to the area of **pure transit through Germany** - suspended.
- In this respect, proceedings for administrative offences pursuant to the Minimum Wage Act will not be instituted.
- In the event that proceedings have already been instituted, they will of course be discontinued.
- As long as the issues arising under European law that concern the application of the Minimum Wage Act to the transport sector are being examined, reports and/or duty rosters for the purely transit area and records based on the Minimum Wage Act or the respective ordinances do not have to be submitted and/or drawn up.”

I would like to explicitly state that this suspension does not apply to the area of cabotage transport (where an undertaking domiciled abroad performs transport services which begin and end in Germany) or to cross-border road transport with loading or unloading in Germany.

This transitional solution will apply until the issues under European law that concern the application of the minimum wage in the transit area have been clarified.

Clear and fair rules that apply equally to all are an important prerequisite for ensuring that the minimum wage is accepted in Germany and abroad. We do not want the introduction of the minimum wage in Germany to be burdened by a legal dispute in the circle of the Member States.

This step has been coordinated with the Federal Chancellor, the Federal Minister of Economic Affairs, the Federal Minister of Transport and the Federal Minister of Finance in Germany.

I hope that the arrangements we reached today will also be understood as a sign of good neighbourly relations. I would like to thank my Polish colleague for his trustful cooperation.