



# **Commission Communication on EU Regulatory Fitness COM (2012) 746**

***Working Group on Better Regulation  
Meeting of 4<sup>th</sup> March, 2013***

**Michael Gremminger  
Head of the Regulatory Policy and Impact Assessment Unit  
Secretariat-General, European Commission**



## Policy context

- Continued need for Smart Regulation given the Economic and Financial Situation
- EU legislation is to achieve EU Treaty objectives
- EU legislation has cost as has non-action, weak rules or poor enforcement
- Achieving EU policy goals at minimum costs
- Building on Experience/Strengths



## Building on Experience ...

- Legislative procedures improved consistently
- Impact Assessment (IA) for all proposals with significant impact
- More than 300 open internet consultations over the last 3 years
- Administrative Burden Reduction (ABR) by 25% (30.8 billion €) in 13 priority areas
- 640 simplification initiatives approved
- 4450 legal acts repealed
- "Think small first" approach: Micro exemptions



# Smart Regulation objectives

- Most effective EU legislation at least cost
- Respects the principles of subsidiarity and proportionality
- A simple, clear, stable and predictable regulatory framework for businesses, workers and citizens



## **3 Actions streams for 'Keeping Fit'**

- Regulatory Fitness and Performance Programme ("REFIT")
- Strengthening the Smart Regulation Tools
- Working in Partnership



# I. Regulatory Fitness and Performance Programme ("REFIT")

- Identify burdens, inconsistencies, gaps and ineffective measures ('Mapping')
- Consult: Stakeholders informed throughout the process (example: "Top 10")
- Carry out REFIT evaluations and Fitness Checks
- Take action to repeal, simplify or reduce regulatory costs



# Regulatory Fitness and Performance Programme ("REFIT")

- Integrate the burden reduction programme for Micro/SME, the rolling simplification programme and evaluations with cost reduction focus
- Absorb and provide the framework for Fitness Checks
- Follow-up of the ABR Programme (ABRplus)
- Transparency and tracking system
- Integrated part of policy-making/programming



# III. Strengthening Smart Regulation Tools

- Impact Assessment
- Evaluation
- Public Consultations
- Implementation of EU Legislation



# Improvements to the IA System

- Improve the ex-ante assessment of costs and benefits
- Include a 2-page summary sheet
- Review IA guidelines in 2014



# Improvements to Evaluation

- "Evaluate First Principle"
- More attention to broad areas of legislation and cross-cutting issues (via Fitness Checks)
- Pilot joint evaluations with Member States
- Review of Evaluation Guidelines in 2013
- Art. 318 Report: Reporting on Results of EU Financial Programmes



# Improvements in Public Consultations

- Extension to 12 weeks for open internet consultations
- Focused conferences
- Rolling Calendar of planned consultations
- Better feedback
- Wider translation
- Update of minimum consultation standards



# Improvements to implementation of EU Legislation

- Implementation support (e.g. EU pilot, best practice exchange)
- More systematic and risk-based approach to conformity assessment
- More systematic implementation plans for Directives
- Wider use of common commencement dates
- EUR-lex Common portal on-line in 2013



## III. A Shared Mission

- Commission + Council + Parliament
  - **Better use of IA in the decision making process**
  - **Analyse impacts for substantive amendments**
- Member States
  - **National administrative capacity/regulatory quality matters -> National impact assessment**
  - **More active engagement in consultations/evaluations -> Subsidiarity feedback**
- Stakeholders + Experts



# Conclusions

- EU legislation must be managed on the basis of sound regulatory principles to efficiently achieve its public policy objectives
- Regulatory frameworks must be fit for purpose
- Identification of unnecessary costs and areas for performance improvement as integral part of the policy making and programming process

