



## Better Regulation Agenda: Enhancing transparency and scrutiny for better EU law-making

Strasbourg, 19 May 2015

Today, 19 May, The European Commission adopts its Better Regulation Agenda. This comprehensive package of reforms covering the entire policy cycle will boost openness and transparency in the EU decision-making process, improve the quality of new laws through better impact assessments of draft legislation and amendments, and promote constant and consistent review of existing EU laws, so that EU policies achieve their objectives in the most effective and efficient way.

First Vice-President Frans **Timmermans** said:

*"This Commission is determined to change both what the Union does and how it does it. Better regulation is therefore one of our top priorities. We are listening to the concerns of citizens and businesses – especially SMEs - who worry that Brussels and its institutions don't always deliver rules they can understand or apply. We want to restore their confidence in the EU's ability to deliver high quality legislation. Better regulation is not about "more" or "less" EU rules, or undermining our high social and environmental standards, our health or our fundamental rights. Better regulation is about making sure we deliver on the ambitious policy goals we have set ourselves in the most efficient way."*

*"We must rigorously assess the impact of legislation in the making, including substantial amendments introduced during the legislative process, so that political decisions are well-informed and evidence-based. And while the natural tendency of politicians is to focus on new initiatives, we must devote at least as much attention to reviewing existing laws and identifying what can be improved or simplified. We must be honest about what works and what doesn't. The decisions taken by EU Institutions interest us all, so we are putting forward measures which will open up the EU's decision-making process, allowing for more transparency and scrutiny, and providing more opportunities for people to give their views."*

The Better Regulation Package will be directly implemented by the Commission in its own preparation and evaluation of legislation and through cooperation with the European Parliament and Council. To this end, the Commission will now enter negotiations with the Parliament and Council over a new Interinstitutional Agreement (IIA) on Better Law-making.

### **More Transparency and Consultation**

The Commission will open up its policy making process to further public scrutiny and input, with a web portal where initiatives can be tracked and new public consultations when we are evaluating existing policies or assessing possible new proposals. There will also be new opportunities for stakeholder comments throughout the entire policy lifecycle, from the initial Roadmap to the final Commission proposal. After the Commission has adopted a proposal, any citizen or stakeholder will have 8 weeks to provide feedback or suggestions which will feed into the legislative debate before Parliament and Council.

This transparent approach will also apply to secondary legislation, in the form of delegated and implementing acts. For the first time, draft measures which amend or supplement existing legislation, or which set out specific technical provisions, will be made public for 4 weeks before adoption. This will allow for stakeholder comments prior to their adoption by the Commission or Member State experts.

### **Keeping existing laws under review**

The Regulatory Fitness and Performance Programme (REFIT), which assesses the existing stock of EU legislation to make it more effective and efficient without compromising policy objectives, will be strengthened. It will become more targeted, looking at the most serious sources of inefficiency and unnecessary burden, and will also quantify the costs and benefits of actions wherever possible. The Commission is already working actively to reduce burdens in areas such as VAT, public procurement, business statistics and chemicals; comprehensive evaluations in other fields are also under way. REFIT will now become a fundamental part of the Commission's Annual Work Programme and of the Commission's political dialogue with the other institutions.

The Commission will establish a permanent and inclusive platform for dialogue with stakeholders and Member States on how to improve EU laws in the context of REFIT. The REFIT Platform will bring

together high-level experts from business, civil society, social partners, the Economic and Social Committee, the Committee of Regions and Member States. It will collect suggestions from the ground for reducing regulatory and administrative burden and bring forward concrete ideas. The Commission will react to all of them and systematically explain how it intends to follow up. The Commission is also renewing its commitment to listen to the views of any stakeholder at any time, via an online tool called "Lighten the Load – Have Your Say".

### **Better impact assessments and quality control**

The Commission is strengthening its approach to impact assessment and evaluations to improve the evidence base which underpins all legislative proposals, without prejudice to political decisions. In particular, the Commission's Impact Assessment Board, operating since 2006, will be transformed into an independent Regulatory Scrutiny Board. Its members will have a more independent status and half of them will be recruited from outside the Commission. The board will have an expanded role in checking the quality of impact assessments of new proposals as well as fitness checks and evaluations of existing legislation.

The Commission also proposes that impact assessments are conducted throughout the legislative process, not just when the Commission prepares its proposal. We call on the Parliament and Council to carry out impact assessments of any substantial amendments they propose during the legislative process. An ad hoc and independent technical panel can be set up upon request of the Parliament, Council or Commission to analyse whether an amended proposal is practical to implement, creates understandable rights and obligations for the interested parties, and avoids disproportionate costs. Its assessment should be finalised and made public within a reasonable amount of time to inform the political decision-making process.

### **A New IIA for a shared commitment by EU institutions**

Better regulation can only work if it is a shared commitment of the Commission, Council and European Parliament. The Commission today submits a proposal for a new IIA on Better Law-Making to the Parliament and Council, aiming for agreement before the end of 2015. The draft new IIA proposes: a common commitment to the REFIT programme; impact assessment throughout the legislative process; continuous monitoring of the performance of EU regulation and more thorough evaluations; coordinated annual and multi-annual planning, including consultation on the Commission Work Programme; greater transparency on trilateral negotiations; and joint efforts to reduce unjustified "gold-plating" of EU legislation by Member States.

### **Background**

The Political Guidelines of President Juncker, on the basis of which the Parliament elected this Commission, made a clear commitment to better regulation. The Commission's 2015 Work Programme committed to the presentation of a proposal for a new Interinstitutional Agreement to update and strengthen the common understanding with the European Parliament and the Council in relation to better regulation.

### **For More Information**

[Political Guidelines of President Juncker](#)

[Commission 2015 Work Programme](#)

[Communication on Better Regulation for Better results – an EU Agenda](#)

[Better Regulation Agenda: Questions and Answers](#)

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Press contacts

[Natasha BERTAUD](#) (+32 2 296 74 56)

[Tim McPHIE](#) (+ 32 2 295 86 02)

General public inquiries:

[Europe Direct](#) by phone [00 800 67 89 10 11](#) or by [email](#)