



European Commission
Secretariat General

Improving the quality of EU legislation – a contribution to Lisbon

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Unit: “Better Regulation
and Impact Assessment”



A maturing Commission agenda

- n 2002 Better Regulation Action Plan
 - q Integrated Impact Assessment
 - q Simplification and codification programmes
 - q Principles and standards for consultation
 - q Guidance on collection and use of expertise
 - q Alternative instruments/ "soft law"
 - q Monitoring of the application of Community law

- n Real progress over the last 4 years
 - q Impact assessment reached "cruising speed"
 - q More than 50 simplification proposals submitted to legislator
 - q Minimum standards for consulting stakeholders and collecting expertise
 - q Inter-Institutional Agreement on Better Lawmaking (Dec. 2003)

- n Barroso Commission initiatives - A step change, building on the Action Plan
 - q Reinforces the link to Lisbon goals and emphasis on competitiveness
 - q Focus on delivery
 - q Focus on stakeholder input



Better regulation for growth & jobs

- n Better regulation can contribute to Lisbon but it is neither its sole objective, nor the only contribution
- n Large potential for reducing burdens and encouraging innovation and private initiative. But time perspective is long.
- n Stakeholder input and priority setting needed
- n Commission efforts to be matched by other institutions and Member States
- n Quality legislation must be complemented by Member State administration (e-government, one-stop-shops etc)



Action: Impact Assessment (IA)

n Achievements

- q Completed IAs in 2005 (nearly 80) more than double the figure for 2004
- q 2005 “second generation” guidelines for integrated impact assessment
- q Transparency: Roadmaps and impact assessment reports
- q Inter-Institutional ‘Common Approach’ to IA agreed in December 2005

n Impacts

- q Quality of Commission and EP/Council decision making improved through evidence-based preparation
- q But difficult to document impacts in internal decision-making process

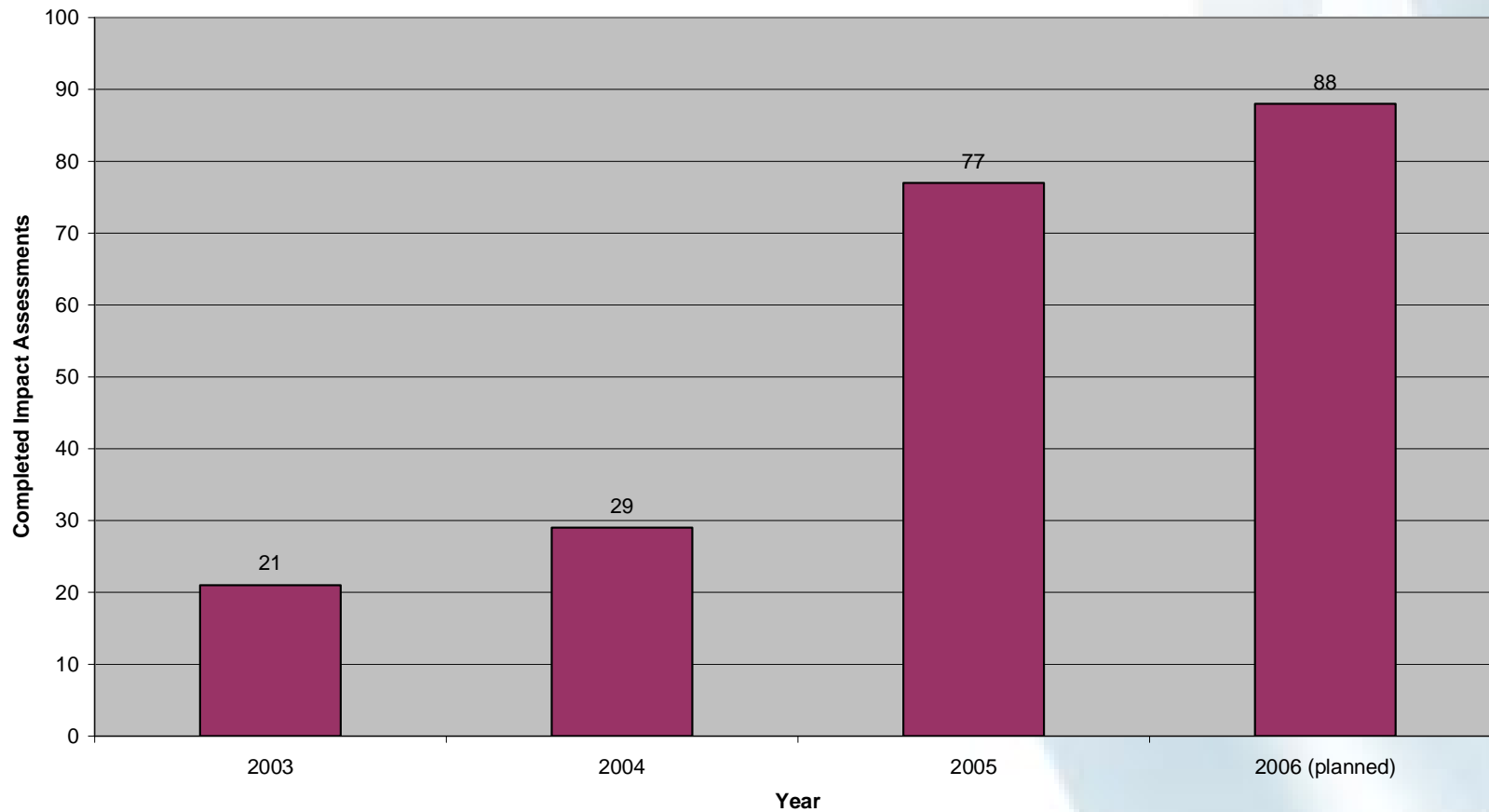
n Still learning ...

- q Need improve quality – New dedicated control function
- q External evaluation of Commission IA system - Results early 2007
- q Linking impact assessment with targets for the stock of legislation



IA: reaching cruising speed

Completed Impact Assessments since 2003





Impact assessment: Challenge of delivery

- n Doubled Commission planning horizon
- n Adapting decision-making procedures
- n Expertise – in-house and external
- n Training
- n Quality support and control
- n Stakeholder and expert input
- n Use of IA in the inter-institutional process



Action: Simplification

- n October 2005 Rolling programme: 100 initiatives in 2005-2008, affecting some 1400 legal acts
- n Simplification of both substance and form, and reduction of volume (codification and repeal)
- n Draws extensively on stakeholder input
- n Combines horizontal and sectoral approach
- n Promotes certain types of EU action (e.g. Regulations, “New Approach”)
- n Screening of pending proposals: 67 proposals withdrawn in early 2006



Simplification: Challenge of delivery

- n Difficult to get useful stakeholder input on simplification needs
- n Ownership - Limits of centralised, harmonised act-by-act approach and potential of sectoral action
- n Need target setting, programming and monitoring
- n Difficulty of “off-beat” programming cycle
- n Average duration of EU decision process is 2 years and entry into force is often 2-4 years later



Administrative Costs: Action

- n Costs of information and reporting obligations imposed by legislation (not full “compliance costs”)
- n NL estimates: Administrative costs over 3.6% of GDP and 340 bill. € annually in EU
- n National frontrunners (e.g. NL, DK, UK): Standard Cost Model used for baseline measurements and quantitative reduction targets
- n Commission action:
 - q October 2005 - Commission “EU Standard Cost Model” adapted for use in impact assessment and to identify simplification
 - q Commission starting to measure cumulative costs
 - q Further initiatives late 2006 and in Spring 2007



Administrative costs: Challenge of delivery

- n Baseline measurements relatively costly and time consuming
- n Ensuring that “standard cost modelling” remains a proportionate approach
- n Agreeing on joint reduction targets and burden sharing for EU and Member States



Sustainability of EU action

- n Widely acknowledged policy priority (but not a consensus agenda)
- n Commission a relatively consistent actor, EP and Council more prone to short-term priorities
- n Commission is mainstreaming better regulation into policies and procedures, but
 - q Resource limits and “crowding out” of new initiatives
 - q Need ownership & integration into incentive systems etc
 - q Tension between political level and “bureaucracy”
 - q Need better evaluation of impacts



Lessons on success factors

- n Overall strategy and continuity of action
- n Transparency and stakeholder input
- n Political and administrative ownership and cultural change
- n Integration into existing administrative systems & practices
- n Flexibility for diversity
- n Programming and monitoring
- n Evidence on action and impacts