Internal market scoreboard

2009/2141(INI) - 29/06/2009 - Document attached to the procedure

PURPOSE: to encourage Member States to take measures to improve the functioning of the Single Market.

PROPOSED ACT: Commission Recommendation.

BACKGROUND: a well functioning single market is essential for creating employment and growth, and for promoting economic stability. The more effective the single market is, the more it will improve the business environment, thereby encouraging firms to invest and create jobs, and the more it will increase consumer confidence and demand.

Consultation and analysis carried out to prepare the Commission Communication "A single market for 21st century Europe" ("the Single Market Review")have identified a number of shortcomings which show that **the single market does not yet function as efficiently as it should** (see COM(2007)0724). In many areas and sectors, further work is still necessary.

In the Single Market Review, the Commission therefore s**uggested a set of concrete measures, to ensure that citizens and businesses continue to benefit from the economic advantages created by the single market**.

The measures taken by the Member States and those taken by the Commission should complement each other:

- a **coordinated and cooperative approach** – in partnership between the Commission and Member States – with a common objective of improved transposition, application and enforcement of single market rules, is vital to ensure the proper functioning of the single market;
- the partnership approach requires establishing and maintaining **closer cooperation within and between the Member States, and with the Commission**, in all areas that are relevant for the single market. It also implies that Member States assume shared responsibility for and therefore a more pro-active role in managing the single market.

CONTENT: this Recommendation draws closely on solutions already introduced in certain Member States, which have proven to work in practice in the Member States concerned. It is for each Member State to choose the practices best designed to ensure the implementation of this Recommendation, having regard to what would be most effective in the context of that Member State, since procedures and practices that are effective in one Member State may not be as effective in another.

The Commission recommends that Member States:

- ensure and strengthen a single market coordination function, to promote efficient coordination within and between authorities responsible for single market issues at national, regional and local level, and to act as a reference point for the single market within the administration;
- facilitate **active cooperation** between administrative authorities responsible for single market issues in different Member States, and with the Commission, through the allocation of sufficient resources;
- take all necessary measures to **improve the transposition of Directives** affecting the single market;
- support the Commission's work on **market monitoring** and related data collection by actively contributing to the exercise at the Community level, and, if relevant, by considering similar exercises at national level;

- ensure that national authorities and officials have **sufficient knowledge of Community law in general and of single market rules** in particular to efficiently apply single market rules and where relevant, take these rules into account when preparing and introducing new national legislation;
- **facilitate and encourage a quick and efficient resolution of problems encountered by citizens and businesses** in exercising their single market rights by in general, taking measures to improve the enforcement of single market rules, and in particular, by ensuring that the judiciary has sufficient knowledge of Community law including single market rules, and by providing sufficient support to problem-solving mechanisms;
- carry out **regular evaluation and assessment of national legislation** to ensure full compliance with single market rules and in so doing keep under review any use of exemptions or derogations provided for in existing single market rules;
- **enhance the provision of practical information** on single market issues to businesses and citizens;
- examine the measures and practices set out in the Annex and, having regard to their national institutional traditions, adopt those practices that will, or can be expected to, lead to an **improvement in the functioning of the single market** and are best suited to implement this Recommendation;
- cooperate with the Commission and other Member States in **monitoring the implementation** of this Recommendation, inform the Commission of actions taken in implementing this Recommendation on a regular basis and provide a final report to the Commission three years after the publication of this Recommendation in the Official Journal.

The Annex to this Recommendation sets out measures that Member States could take in order to implement this Recommendation and provides a list of practices of certain Member States, on which those measures are based. It is considered that, while certain measures may initially incur costs, they should allow for savings to be made, for instance by streamlining national administrative practices, and should, in the long term, lead to a better functioning single market and therefore bring benefits to consumers and businesses.

The progress in implementing this Recommendation should be monitored in close cooperation between the Commission and the Member States, including through discussions in the Internal Market Advisory Committee (IMAC) on the basis of benchmarks and indicators.

In order for the Commission to be able to carry out an assessment of the effects of this Recommendation four years after the publication of the Recommendation in the Official Journal, Member States should submit reports to the Commission three years after the publication of this Recommendation in the Official Journal on actions taken to implement the Recommendation.