Resolution on the revision of the Commission's impact assessment guidelines and the role of the SME test

2014/2967(RSP) - 27/11/2014 - Text adopted by Parliament, single reading

The European Parliament adopted by 548 votes to 83, with 32 abstentions, a resolution on the revision of the Commission's impact assessment guidelines and the role of the SME test.

The resolution adopted in plenary was tabled on behalf of the EPP, S&D, ECR, ALDE, and GUE/NGL groups.

Impact assessments (IA), as an early-stage tool when legislation is being developed, play a key role in the Commission's smart regulation agenda. The existing IA guidelines provide for a central role for the Commission Secretariat-General and the Impact Assessment Board (IAB) as regards the decision on whether or not an IA is necessary for a specific initiative.

In this context, **Parliament welcomed the Commission's commitment to regularly reviewing the IA guidelines** with a view to improving the IA procedures. It underlined the fact that the Commission should ensure that **economic, social, administrative and environmental aspects** are assessed in equal depth.

Scope: concerned that the draft revised guidelines are **much less specific than the existing guidelines** in terms of the scope for IAs, Parliament believes that the Commission should maintain its existing approach of submitting an IA **for all initiatives meeting at least one of the following criteria**:

- legislative proposals included in the Commission's Legislative and Work Programme (CLWP);
- non-CLWP legislative proposals with clearly identifiable economic, administrative, social and environmental impacts;
- non-legislative initiatives which define future policies (e.g. white papers, action plans, expenditure programmes and negotiating guidelines for international agreements);
- delegated or implementing acts introduced by the Commission – and its agencies where relevant – which are likely to have significant identifiable economic, social, environmental and administrative-burden impacts.

All relevant **stakeholders** should be consulted at an early stage in the IA process.

Impact Assessment Board (IAB): Members called for the role of the IAB in the IA process to be **more clearly defined** in the draft revised guidelines. It strongly insisted on the Commission to set out procedures relating to the IAB more clearly in a new set of draft revised guidelines when responding to this resolution adopted by Parliament.

Parliament also called for the **independence of the IAB** to be strengthened, and in particular that members of the IAB not be subject to political control.

SME test: in light of the 2011 review of the Small Business Act, Parliament asked the Commission to work with the Member States to **better disseminate the principles of the SME test** in the context of national procedures, in support of SME policy. It insisted that the SME test, as laid down in the guidelines, should be maintained in order to avoid SMEs being disproportionately affected or disadvantaged by Commission initiatives compared with large companies. Member considered that

exempting **micro-enterprises** by default may not always be the best approach, and that this must therefore be assessed on a case-by-case basis for each proposal.

Advisory Body: Parliament proposed that the Commission should establish this group as a high-level Better Regulation Advisory Body involving both stakeholder expertise and national experts as soon as possible. It proposed a **strong and independent advisory mandate** for this body. Parliament and the Council should be involved in the expert nomination procedure.

Impact assessments in Parliament: Parliament called for Commission IAs to be examined systematically and as early as possible by Parliament, and in particular at committee level. It recalled its resolution of 8 June 2011 in which called for more consistent use to be made of the parliamentary IA.