Community legislation: simplifying and improving the regulatory environment

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PURPOSE : the simplification and improvement of legislation. CONTENT : nine years after the Edinburgh European Council made the task of simplifying the regulatory environment one of the Community's priorities, most of the work remains to be done, a view shared by Council and Parliament. The need to act was set out in the White paper on European Governance adopted by the Commission on 25 /07/01. Effecting reform does not require Treaty amendment, but the Commission feels that an interinstitutional discussion is necessary. A coordinated and operational strategy would mean: - having a common definition of objectives - getting strong and real political support from the Member States and the institutions, reflected in human and budgetary resources, new working methods and a new working culture. - pinpointing specific, realistic and inspirational measures. The Commission sees as the most pressing concerns: - simplifying and improving the acquis communautaire. The latter extends to more than 80 000 pages, making it cumbersome for economic operators and the man in the street. One-off measures such as the SLIM initiative have been taken, but the results remain extremely limited. The institutions together must formulate an integrated programme. The aim could be achieved by reducing then number of acts, either through codification or recasting a set of succeeding regulations, and by simplifying the substance of the regulatory environment. The Commission also intends to withdraw a hundred or more pending proposals dating from before 1999, and which are no longer of topical interest. - well prepared and more appropriate legislation. Firstly, the Commission intends to strengthen the preparation of legislative proposals by more in-depth consultations. It will also establish a coherent method for impact analysis to ensure that all major proposals contain a sustainablity impact assessment covering their economic, social and environmental consequences. Secondly, the range of instruments must be clarified in order to achieve greater effectiveness. The distinction between regulations and directives must be better understood. In order to make more use of less detailed directives, the Commission should be given more executive powers. There should be a review of comitology procedures. Co-regulation is a way of achieving flexibility and greater effectiveness, but is not an attempt to by-pass the legislator's prerogatives, nor to duck out of legislation. - a new culture within the institutions. The Commission will set an example by creating an internal legislative network to promote good practice. It will be necessary to establish a parallel interinstitutional network. - better transposition and application of Community law. This is, in the main, a responsibility of the Member States. The latter must ensure that Community acts are transposed into their national legislation correctly and within the set deadlines. Each Member State should appoint transposition/application correspondents. On the strength of reactions from council and parliament, the Commission will propose a detailed plan of action in June 2002.