

Technical standards and regulations: procedure for the provision of information. Codification

1996/0300(COD) - 13/02/2003 - Follow-up document

The notification procedure introduced by Directive 98/34/EC has been implemented in the Information Society services sector since August 1999. This report sets out to take stock of the application of the Directive's provisions in relation to those services. An overview of that procedure is provided as an aid to gauging its contribution in the field of the services newly covered. The report states that the functioning of the procedure is assessed in a positive light, confirming the actual value of this Directive as an effective internal-market tool in this new economic field. It has made it possible to develop a genuine dialogue between the Commission and the Member States and to create greater transparency concerning ongoing regulatory initiatives, which are brought to the attention of all the authorities and parties concerned. Moreover, by dint of prior analysis of draft texts enabling numerous obstacles to be avoided before they can have any negative impact, the Directive has made a practical contribution towards achieving the objective, set by the Lisbon European Council, of "better law-making" and of defining a regulatory framework geared to reinforcing the competitiveness of the European economy in such a dynamic and innovative field as Information Society services. The report starts off with a presentation of the notification procedure in the field of Information Society services. This is followed by a detailed analysis of the Commission's and Member States' responses to drafts notified so far and to major problems of Community law raised therein. Specific (urgency, confidentiality and "blocking") procedures are analysed in detail. The report also takes stock of breaches of the notification procedure. Finally, it sets out new (national and international) developments in the procedure and concludes with an assessment of its deficiencies and strong points so as to convey an accurate picture of the situation. The favourable impact of the notification procedure in the field of Information Society services can be summarised under six headings: - dialogue on new topics, - the withdrawal or amendment of draft regulations incompatible with Community law, - the creation of a body of law on numerous topics, - exchange of ideas, - Commission examination of the need for legislation in certain areas and, - the provision of information to undertakings and the public on draft national regulations in this sector.