Better lawmaking, single market: making rules more effective. Annual report 1997

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In adopting its opinion on the Commission's report to the European Council entitled 'Better lawmaking 1997', drafted by Mr. Jean-Pierre COT (PES, F), the Parliament points out that the requirement to produce high-quality legislation concerns both the formal quality of texts and their substance, and that the drafting of simpler and clearer legislation in accordance with the principles of subsidiarity and proportionality is a condition which will determine its acceptance and proper application by citizens. It deplores that the Commission deals in a single document with the implementation of the principles of subsidiarity and proportionality, on the one hand, and with matters relating to the formal quality of texts, on the other hand, and considers such an approach prejudicial to in-depth analysis of the various issues. It reiterates its concern as regardds the growing tendency to present proposals for 'framework directives' (e.g. in the areas of water policy, VAT applied to telecommunications services, the transport of dangerous goods by waterway, energy product taxation and airport taxes) following the failure of more ambitious proposals and emphasises the risk of thereby creating law of a status which is uncertain, less mandatory ('soft law') and less sure, which results in fictitious harmonisation and in uncertain transposition into the national legal systems. It notes with concern the Commission's excessive production of non-legislative documents (Green and White Papers, communications and interpretative notes) and the growing imbalance between such activities and legislative activity, on which the Commission has sole right of initiative. It recalls that the principle of subsidiarity is one political principle among others and that, in particular, it should not be invoked in order to restrict Community action aimed at ensuring solidarity between regions in accordance with the objective of economic and social cohesion. The Parliament invites the Council to act upon the pending legislative proposals drawn up by the Commission on the subject of company law, the free movement of persons and taxation. It also invites the Council to ensure that the search for a compromise does not lead to the legislative proposals submitted to it being weakened or rendered ambiguous. The Commission and Council are invited to ensure that levels of protection in the area of the environment, product quality and the health and safety of workers are not lowered under the guise of legislative simplification. Lastly, the Parliament considers it desirable for legislative proposals and preparatory documents to be made available to the national parliaments in good time to enable them, if they so wish, to express opinions on certain subjects and so strengthen co-operative relations with the European Parliament.