Basic information

1997/2292(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Better lawmaking, single market: making rules more effective. Annual report 1997 **Subject** 2 Internal market, single market 8.50.02 Legislative simplification, coordination, codification	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs, Citizens' Rights	COT Jean-Pierre (PSE)	06/01/1998

Committee for opinion	Rapporteur for opinion	Appointed
INST Institutional Affairs	RACK Reinhard (PPE)	25/02/1998

Council of the European Union

Key events

Date	Event	Reference	Summary
26/11/1997	Non-legislative basic document published	COM(1997)0626	Summary
15/12/1997	Committee referral announced in Parliament		
25/11/1998	Vote in committee		Summary
25/11/1998	Committee report tabled for plenary	A4-0460/1998	
17/12/1998	Debate in Parliament		
18/12/1998	End of procedure in Parliament		
09/04/1999	Final act published in Official Journal		

Technical information

Procedure reference	1997/2292(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper

Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed
Committee dossier	JURI/4/09555

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A4-0460/1998 OJ C 098 09.04.1999, p. 0005	25/11/1998	
Text adopted by Parliament, single reading		T4-0773/1998 OJ C 098 09.04.1999, p. 0483-0500	18/12/1998	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(1997)0626	26/11/1997	Summary
Supplementary non-legislative basic document	COM(1998)0296	13/05/1998	Summary
Supplementary non-legislative basic document	SEC(1998)0903	25/05/1998	Summary
Supplementary non-legislative basic document	COM(1998)0345	27/05/1998	Summary

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1997/2292(COS) - 25/05/1998 - Supplementary non-legislative basic document

The Commission has published a working paper proposing a number of practical measures which may help to speed up the rate of transposition of Directives into national law and to guarantee the quality of transposition legislation. It is also studying what else can be done to further efforts to improve the effective application of single market rules: - consultations with Member States with a view to developing new rules applicable to cooperation between authorities responsible for implementing legislation; - development of suitable mechanisms for mutual verification and examination of systems and legislation application procedures; - support for efforts made by Member States to train their officials; - support for administrative cooperation between officials in the different Member States.

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1997/2292(COS) - 13/05/1998 - Supplementary non-legislative basic document

In a communication to the European Parliament and the Council, the European Commission insists on the need to make single market rules more efficient and combat "shortcomings in the transposition of directives". Over a period of one year, the percentage of directives which have not been transposed in the Member States as a whole has dropped by half from 35% in June 1997 to 18% on 1 May 1998. This trend should be maintained and the Commission will monitor closely the efforts of the Member States in this area and insist on additional progress. It is therefore calling for the introduction of an informal mutual information and dialogue mechanism between the Member States and the Commission during the period of transposition, in order to establish a common approach. Civil servants in Member States should be encouraged to share their know-how and

experience in the application of single market rules, not only on an ad hoc basis but also in a more structured manner. The Commission confirmed that it will have no hesitation in instituting infringement proceedings against Member States which fail to honour their obligations.

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1997/2292(COS) - 26/11/1997 - Non-legislative basic document

OBJECTIVE: the purpose of this annual report to the European Council is to describe the action taken by the Commission to help the Community achieve 'better lawmaking'. SUBSTANCE: The report shows that the considerable effort made by the Commission since the Edinburgh European Council has borne fruit. It confirms its approach of doing less but doing it better, consulting interested parties more extensively, improving the drafting quality of its texts, simplifying and consolidating existing legislation and seeking to provide easier access to Community law. The Commission is equipping itself to continue work in this direction through major internal reform initiatives such as MAP 2000 (modernization of administration and personnel policy for the year 2000) and SEM 2000 (better financial coordination between departments in the Commission and the Member States). However these initiatives will not produce the desired effect unless there is greater support by the European Parliament and the Council which must, for example, adopt the many proposals for simplification and formal consolidation which are pending. The Member States have a major role to play in this area. Having a major legislative role, they must transfer to national level the efforts being made at Community level. The Commission considers that the improvement of the quality of legislation must continue to be a priority for the European Union and its Member States.

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1997/2292(COS) - 18/12/1998 - Text adopted by Parliament, single reading

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.

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1997/2292(COS) - 27/05/1998 - Supplementary non-legislative basic document

In its communication 'Legislate less to act better: the facts' the Commission gives an assessment of and the prospects for its activities with regard to: a) subsidiarity/proportionality: the Commission considers the results to be positive. It is determined to give effect to the Protocol on the application of the principles of subsidiarity and proportionality even before the Amsterdam Treaty is ratified. It is currently amending its general guidelines for legislative policy and will ensure in particular that the provisions governing impact assessments are complied with; b) drafting quality: each of the three institutions has adopted measures of its own but they have not yet achieved the desired objectives. Efforts need to be coordinated. The legal services of the three institutions are working together and should be producing draft guidelines; c) simplification: the establishment of the single market has already achieved a spectacular result in terms of simplification. In 1998 the Commission will be presenting proposals under the second phase of SLIM to follow up the recommendations made by the working parties.The Commission supports the conclusions of the report of the Business Environment Simplification Task Force (BEST) which stress the need to persuade all levels of public authorities to place the 'better lawmaking' principles at the heart of their political strategy; d)formal consolidation, recasting, informal consolidation: the Commission intends to continue the progress already made in formal consolidation and has already identified the sectors where a special effort will be required over the period 1998-2000. It would also like to see early agreement between the institutions on recasting, a method which ensures constant clarity of legislation; e) access to information: a permanent structure will be set up, via the Internet and freephone numbers, to conduct a dialogue with the public and businesses to inform them of their rights; the Euro-Info-Centre networks will be reinforced; f) transposal: as a result of its efforts which it intends to continue and despite the difference in

performance among the Member States, the average figure for informing the Commission of national implementing measures has risen. It was 94% on 31 December 1997.