



Commission's Better Regulation Guidelines & Social Partner Initiatives

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What is Better Regulation?

- ***Legislation/policy making that delivers objectives at least cost and burden***
- ***A method - common sense way of working throughout the policy cycle to foster:***
 - high-quality initiatives that are evidence-based; with no unnecessary burdens for business/public authorities
 - transparent participation of stakeholders;
 - initiatives that actually deliver as foreseen and remain fit for purpose.
- ***Not about weakening social or environmental standards or replacing political decisions.***

Better Regulation Guidelines

- **Single guideline** that covers the entire policy cycle and links the phases better together
- **Web-based "Tool box"** with operational guidance for practitioners





The Commission IA system

Aim: Provide a balanced evidence base to inform, not replace, political decision-making

Integrated approach

All benefits and costs; economic, social and environmental impacts.

Wide scope

All initiatives with significant impacts, from policy defining proposals to implementing measures

Transparency

Publication of Roadmaps, IAs and RSB opinions
Comprehensive stakeholder consultation

Independent quality control – Regulatory Scrutiny Board

Strengthened scrutiny – Regulatory Scrutiny Board (RSB)

- **Established in 2015, replaces the IA Board**
- **6 Full time Members:**
 - 3 "external" + 3 internal
 - Plus Chair: DG level
- **Examines:**
 - Impact assessments
 - Major evaluations and fitness checks
- **Gives opinion on quality and recommendations for improvement**

Commission proposals in the social field (Art. 153)

- Accompanied by impact assessments
- Preceded by specific two-stage consultation procedure of the European social partners (Art. 154)*:
 1. First stage on the possible direction of EU action
 2. Second stage on the content of the envisaged proposal, supported by analytical documents

** Specific consultation arrangement; does not fall under minimum consultation standards*

Social partners' agreements (Art 155 TFEU)

- Better regulation principles apply without prejudice to the role and autonomy entrusted in the TFEU
- If impacts are likely to be significant, before taking its decision, the Commission carries out a proportionate impact assessment
- Objective: inform the Commission's decision whether or not to accept the agreement, and consequently to present a proposal for a Council Decision
- Specific BR provision: transparency of agreement but no additional public consultation

What are the standard IA steps?

1. Identify the **problem**
2. Assess **need/added value of EU-level** action
3. Define the **objectives**
4. Develop policy **options**
5. Analyse the **impacts** of the options
6. Compare the **options**
7. Outline policy monitoring and **evaluation**

Impact assessment accompanying Social partners' agreements (I)

- Proportionate analysis – i.e. of appropriate scope and depth, which depends *inter alia* of the significance of impacts
- Refers to whole IA process: depth and scope of analysis, data collection efforts, types of impacts covered, etc.
- Assesses impacts like all IAs

Impact assessment accompanying Social partners' agreements (II)

Specific focus of the IA:

- Assessment of the representativeness of the signatories, the legality of the agreement vis-à-vis the EU legal framework and the respect of the subsidiary and proportionality principles
- Analyses the measures defined in the agreement against the baseline scenario (no other options)

Example

- Analytical document accompanying the social partners' agreement on working time in inland waterway transport (2013)

IAB opinion available at: http://ec.europa.eu/smart-regulation/impact/ia_carried_out/cia_2014_en.htm#empl

Evaluation and REFIT programme

- **Closing the policy cycle – monitoring and evaluation of:**
 - o **How is legislation working on the ground?**
 - o **Is it up-to-date/fit for purpose?**
 - o **Is there scope for simplification?**
- **REFIT programme / REFIT Platform**

Further information

Europa: http://ec.europa.eu/smart-regulation/index_en.htm

Better regulation guidelines: http://ec.europa.eu/smart-regulation/guidelines/toc_guide_en.htm

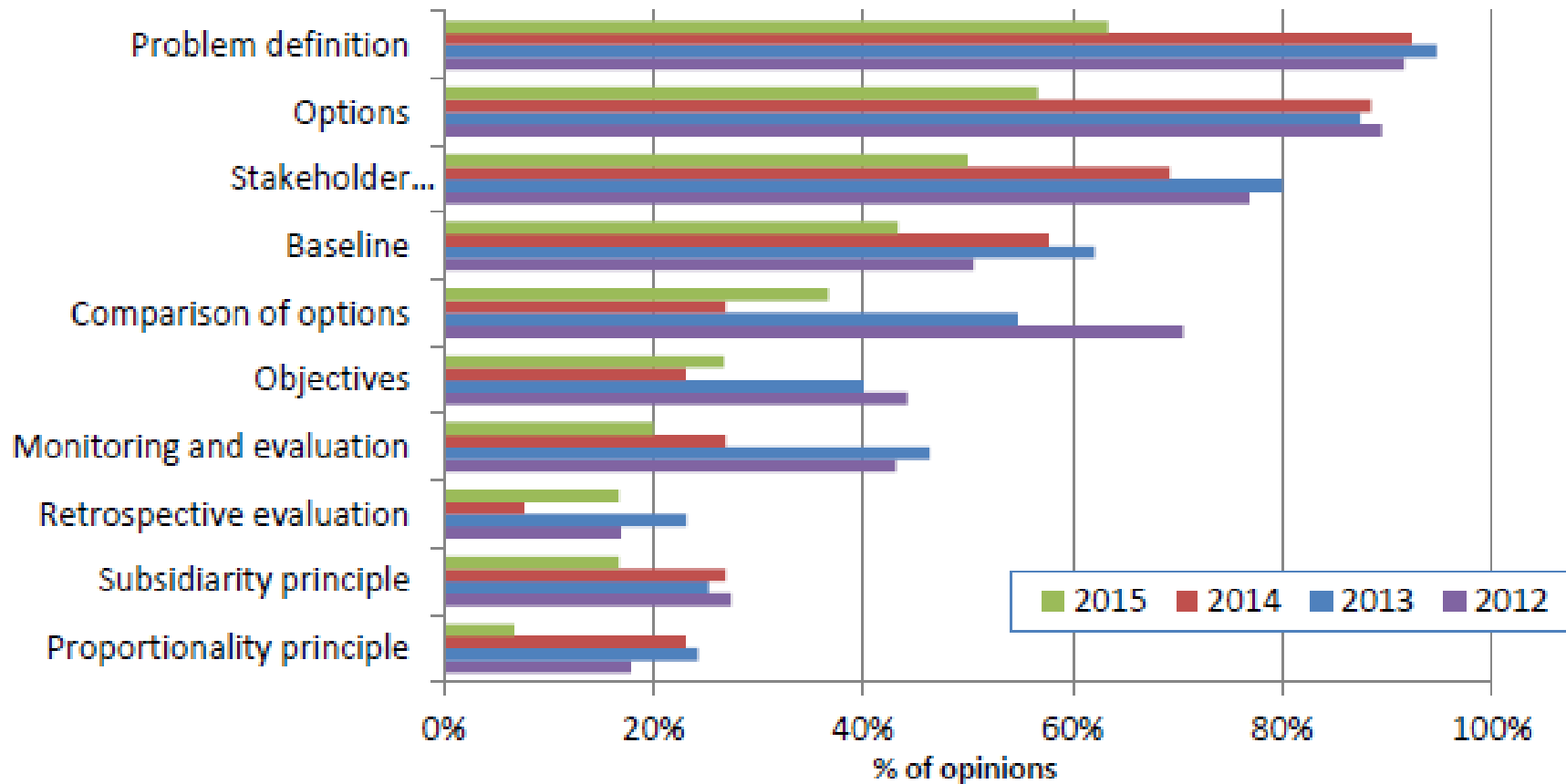
Juncker Commission

priorities: http://ec.europa.eu/priorities/democratic-change/better-regulation/index_en.htm

The IAB/RSB's work in figures

Year	2007	2008	2009	2010	2011	2012	2013	2014	2015
Total impact assessments examined	102	135	79	66	104	97	97	25	30
Number of meetings	22	26	21	23	25	20	19	10	15
Number of opinions issued	112	182	106	83	138	144	142	35	37
Opinions requesting resubmission	9	44	28	27	37	46	40	10	14
Resubmission rate	9%	33%	35%	41%	36%	47%	41%	40%	47%

IAB/RSB's recommendations main focus (I)



IAB/RSB's recommendations main focus (II)

