



2016/2018(INI)

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DRAFT OPINION

of the Committee on the Environment, Public Health and Food Safety

for the Committee on Legal Affairs and the Committee on Constitutional Affairs

on the interpretation and implementation of the interinstitutional agreement on Better Law-Making
(2016/2018(INI))

Rapporteur: Adina-Ioana Vălean

SUGGESTIONS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Legal Affairs and the Committee on Constitutional Affairs, as the committees responsible, to incorporate the following suggestions into its motion for a resolution:

International agreements

1. Regrets the fact that it is not usually possible to access certain Council documents relating to international agreements, particularly negotiating mandates;
2. Calls for a more harmonised and structured approach, with guaranteed access for Parliament, to all negotiating texts and related documents, even those of a confidential or classified nature, including negotiating mandates, and to other relevant documents used during the preparatory stages and actual negotiations; considers, moreover, that the Commission and the Council should provide the Parliament with regularly updated lists of the documents at their disposal relating to the negotiations;
3. Welcomes the written briefings provided by the Commission ahead of international conferences and the daily oral briefings provided by the Council Presidency and the Commission during those conferences;
4. Regrets the fact that Parliament is not allowed to attend, as an observer, EU coordination meetings during international conferences;

Delegated and implementing acts

5. Notes that the delegation of power to the Commission is not merely a technical issue but can also involve questions of political sensitivity which are of considerable importance to EU citizens, consumers and businesses;
6. Recalls that politically significant elements, such as Union lists or registers of products or substances, should remain an integral part of a basic act – where appropriate in the form of annexes – and should therefore only be amended by means of delegated acts; stresses that the creation of self-standing lists should be avoided in the interests of legal certainty;
7. Looks forward to making use of a well-structured and user-friendly functional register of delegated acts, which was published on 12 December 2017 and had been requested by Parliament;

Impact assessments

8. Reiterates its call for the compulsory inclusion in all impact assessments of a balanced analysis of the medium- to long-term economic, social, environmental and health impacts;
9. Stresses that impact assessments should only serve as a guide for better law-making, and as an aid for making political decisions, and should in no event replace political decisions within the democratic decision-making process, nor should they hinder the role of politically accountable decision-makers;
10. Considers that impact assessments should not cause undue delays to legislative

procedures, nor should they be utilised as procedural obstacles in an attempt to delay unwanted legislation;

Simplification

11. Believes that certain administrative burdens are necessary for ensuring proper compliance with legislative objectives and the required level of protection, in particular with regard to the environment and the protection of public health – sectors in which information requirements must be maintained;
12. Believes that, as quality is of the utmost importance, the work of regulatory simplification should not serve as a pretext for showing less ambition on issues of vital importance to the protection of the environment, public health or food safety;
13. Opposes the setting of a net target for reducing regulatory costs, as it unnecessarily reduces the range of instruments available for addressing new or unresolved issues, and ignores the corresponding benefits of regulation;
14. Welcomes the Commission's announcement that, in reviewing existing and planned legislation, it will take account of the particular interests of micro-enterprises and SMEs and apply lighter regimes to such companies in the form of exemptions and simplifications; considers, however, that proposals which permit the option of lighter regimes and exemptions for SMEs should be assessed on a case-by-case basis.