



2016/2018(INI)

30.1.2018

AMENDMENT

1 - 69

Draft opinion
Anthea McIntyre
(PE613.586v01-00 v)

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

Amendment 1
Gabriele Zimmer

Draft opinion
Paragraph 1

Draft opinion

1. ***Welcomes*** the interinstitutional agreement (IIA) ***on better law-making and the inclusion of new, innovative elements such as the annual burden survey (ABS), SME and competitiveness tests, burden reduction targets and the Regulatory Scrutiny Board (RSB), which will help to provide clear added value in terms of competitiveness, growth and jobs;***

Amendment

1. ***Is concerned that the aim of the ‘better law-making’ agenda is to reduce regulation without enough regard to the ways in which it benefits society; warns that bodies such as the Regulatory Scrutiny Board generate additional red tape, resulting in insufficient transparency around the selection of legislative initiatives; insists that the interinstitutional agreement may not be interpreted in any way that could limit Parliament’s ability to exercise its legislative tasks as the directly elected body representing EU citizens;***

Or. de

Amendment 2
Anne Sander

Draft opinion
Paragraph 1

Draft opinion

1. ***Welcomes*** the interinstitutional agreement (IIA) on better law-making and the inclusion of new, innovative elements ***such as the annual burden survey (ABS), SME and competitiveness tests, burden reduction targets and the Regulatory Scrutiny Board (RSB), which will help to provide clear added value in terms of competitiveness, growth and jobs;***

Amendment

1. ***Welcomes*** the interinstitutional agreement (IIA) on better law-making and the inclusion of new, innovative elements ***seeking to improve the quality of regulation and hence make it a real added value in terms of competitiveness, growth and jobs, in particular by introducing an annual burden survey, making a clear reference to SMEs and the ‘think small first’ principle, which should be the common thread running through every impact assessment, and involving the Regulatory Scrutiny Board (RSB) in***

checks on the quality of impact assessments, as well as by improving legislative procedures, requiring the European institutions to cooperate with each other in good faith, and enhancing the transparency of law-making while observing the core principles of Union law, that is to say, democratic legitimacy, subsidiarity, and proportionality;

Or. fr

Amendment 3
Jean Lambert

Draft opinion
Paragraph 1

Draft opinion

1. *Welcomes* the interinstitutional agreement (IIA) on better law-making and the inclusion of new, innovative elements such as the annual burden survey (ABS), SME and competitiveness tests, burden reduction targets and the Regulatory Scrutiny Board (RSB), *which will help to provide clear added value in terms of competitiveness, growth and jobs;*

Amendment

1. *Notes* the interinstitutional agreement (IIA) on better law-making and the inclusion of new, innovative elements such as the annual burden survey (ABS), SME and competitiveness tests, burden reduction targets and the Regulatory Scrutiny Board (RSB); *Reminds that in many instances, EU legislation harmonises or replaces different rules in the 28 Member States, making national markets mutually and equally accessible and reducing administrative costs overall to realise a fully functional internal market;*

Or. en

Amendment 4
Brando Benifei, Vilija Blinkevičiūtė, Agnes Jongerius, Sergio Gutiérrez Prieto, Emilian Pavel, Elena Gentile, Siôn Simon, Claudiu Ciprian Tănăsescu

Draft opinion
Paragraph 1

Draft opinion

1. **Welcomes** the interinstitutional agreement (IIA) on better law-making and the inclusion of new, innovative elements such as the annual burden survey (ABS), SME and competitiveness tests, burden reduction targets and the Regulatory Scrutiny Board (RSB), which **will** help to provide clear added value in terms of competitiveness, growth and jobs;

Amendment

1. **Takes note of** the interinstitutional agreement (IIA) on better law-making and the inclusion of new, innovative elements such as the annual burden survey (ABS), SME and competitiveness tests, burden reduction targets and the Regulatory Scrutiny Board (RSB), which **can** help to provide clear added value in terms of competitiveness, growth and jobs;

Or. en

Amendment 5

Brando Benifei, Vilija Blinkevičiūtė, Agnes Jongerius, Sergio Gutiérrez Prieto, Emilian Pavel, Michael Detjen, Elena Gentile, Siôn Simon, Claudiu Ciprian Tănăsescu

Draft opinion

Paragraph 1 a (new)

Draft opinion

Amendment

1a. Considers better law-making as an inter-institutional exercise of improving the quality of EU legislation by prioritising its social purpose to enhance citizens' well-being and promote their rights and freedoms as defined in the Treaties;

Or. en

Amendment 6

Anne Sander, Claude Rolin

Draft opinion

Paragraph 2

Draft opinion

Amendment

2. Underlines the importance of **proper implementation** of the programming **arrangements** and **reminds**

2. Underlines the importance of **transparent cooperation in good faith between the three institutions, which**

the *Commission of its obligation to respond promptly to own-initiative reports*;

should be translated into practice by a genuine commitment on the part of the Commission to involving Parliament and the Council, at the same level, in the shaping of its programming, to informing them, as far as possible, of the procedures selected for legislative and non-legislative proposals and of the reasons for the withdrawal of a text, and, moreover, to providing the co-legislators, within three months, with reasoned replies to their requests for legislative proposals;

Or. fr

Amendment 7

Brando Benifei, Vilija Blinkevičiūtė, Agnes Jongerius, Sergio Gutiérrez Prieto, Emilian Pavel, Michael Detjen, Elena Gentile, Siôn Simon, Claudiu Ciprian Tănăsescu

Draft opinion Paragraph 2

Draft opinion

2. *Underlines the importance of proper implementation of the programming arrangements and* reminds the Commission of its obligation to respond promptly to own-initiative reports;

Amendment

2. Reminds the Commission of its obligation to respond promptly, *with specific communications signed by the College*, to own-initiative reports *adopted by the European Parliament*; *deplores that several own-initiative reports remain unanswered, such as the legislative initiative report on information and consultation of workers, anticipation and management of restructuring*;

Or. en

Amendment 8 Jean Lambert

Draft opinion Paragraph 2

Draft opinion

2. Underlines the importance of proper implementation of the programming arrangements and reminds the Commission of its obligation to respond promptly to own-initiative reports;

Amendment

2. Underlines the importance of proper implementation of the programming arrangements and reminds the Commission of its obligation to respond promptly to ***legislative and non-legislative*** own-initiative reports; ***Calls on the Commission to come forward with legislative proposals when requested by Parliament;***

Or. en

Amendment 9

Anne Sander, Claude Rolin

Draft opinion

Paragraph 2 a (new)

Draft opinion

Amendment

2a. In keeping with the agreement, calls for Parliament and Council experts, to be given full access, on an equal footing, to meetings of Commission expert groups responsible for drafting delegated acts, and for the three institutions, working in close collaboration, to draw up a 'joint functional register of delegated acts' in order to ensure that the message of the co-legislators in a basic legislative act is not negated or distorted;

Or. fr

Amendment 10

Anne Sander, Claude Rolin

Draft opinion

Paragraph 2 b (new)

Draft opinion

Amendment

2b. Points out that there is at present

an information disparity between Parliament and the Council, since parliamentary committee meetings are held in public, whereas Council meetings are not; stresses the importance, therefore, of giving effect without delay to point 34 of the agreement, which stipulates that Parliament and the Council, in their capacity as co-legislators, have to maintain close contacts all through interinstitutional negotiations, one means to that end being to exchange views and information;

Or. fr

Amendment 11
Gabriele Zimmer

Draft opinion
Paragraph 3

Draft opinion

Amendment

3. *Welcomes the establishment of the Commission Task Force on Subsidiarity, Proportionality and ‘Doing Less More Efficiently’, which must work hand in hand with the IIA to increase the trust of citizens who consider the subsidiarity principle a key aspect of the democratic process;*

deleted

Or. de

Amendment 12
Dominique Martin, Joëlle Mélin, Mara Bizzotto

Draft opinion
Paragraph 3

Draft opinion

Amendment

3. *Welcomes* the establishment of the Commission Task Force on Subsidiarity,

3. *Points out that national parliaments regularly raise subsidiarity*

Proportionality and ‘Doing Less More Efficiently’, which must work hand in hand with the IIA to increase the trust of citizens who consider the subsidiarity principle a key aspect of the democratic process;

issues and urges the Commission not to encroach on those spheres of competence in which it can propose that Parliament legislate; therefore welcomes the establishment of the Commission Task Force on Subsidiarity, Proportionality and ‘Doing Less More Efficiently’, which must work hand in hand with the IIA to increase the trust of citizens who consider the subsidiarity principle a key aspect of the democratic process;

Or. fr

Amendment 13
Anne Sander, Claude Rolin

Draft opinion
Paragraph 3

Draft opinion

3. Welcomes the establishment of the Commission Task Force on Subsidiarity, Proportionality and ‘Doing Less More Efficiently’, which *must* work hand in hand with the IIA to increase the trust of citizens who *consider* the *subsidiarity principle a key aspect of the democratic process*;

Amendment

3. Welcomes the establishment. *on 14 November 2017*, of the Commission Task Force on Subsidiarity, Proportionality and ‘Doing Less More Efficiently’, which *should* work hand in hand with the IIA to *help* increase the trust of citizens, who *are looking to* the *EU to act where it has genuine added value and gets as close as possible to their daily lives, for instance by helping them to establish themselves in permanent employment and supporting them in their business ventures*;

Or. fr

Amendment 14
Brando Benifei, Vilija Blinkevičiūtė, Agnes Jongerius, Sergio Gutiérrez Prieto, Emilian Pavel, Elena Gentile, Siôn Simon, Claudiu Ciprian Tănăsescu

Draft opinion
Paragraph 3

Draft opinion

3. **Welcomes** the establishment of the Commission Task Force on Subsidiarity, Proportionality and ‘Doing Less More Efficiently’, ***which must work hand in hand with the IIA to increase the trust of citizens who consider the subsidiarity principle a key aspect of the democratic process;***

Amendment

3. **Takes note of** the establishment of the Commission Task Force on Subsidiarity, Proportionality and ‘Doing Less More Efficiently’; ***questions, however, whether the European Parliament, as a co-legislator tasked to scrutinise the Commission, should be part of a consultative body presided over by the Commission itself;***

Or. en

Amendment 15
Jean Lambert

Draft opinion
Paragraph 3

Draft opinion

3. **Welcomes** the establishment of the Commission Task Force on Subsidiarity, Proportionality and ‘Doing Less More Efficiently’, ***which must work hand in hand with the IIA to increase the trust of citizens who consider the subsidiarity principle a key aspect of the democratic process;***

Amendment

3. **Notes** the establishment of the Commission Task Force on Subsidiarity, Proportionality and ‘Doing Less More Efficiently’, ***but reminds that the social objectives of the EU, including full protection for workers should remain the highest priority;***

Or. en

Amendment 16
Jérôme Lavrilleux

Draft opinion
Paragraph 3

Draft opinion

3. Welcomes the establishment of the Commission Task Force on Subsidiarity, Proportionality and ‘Doing Less More

Amendment

3. Welcomes the establishment of the Commission Task Force on Subsidiarity, Proportionality and ‘Doing Less More

Efficiently', which must work hand in hand with the IIA to increase the trust of citizens who consider the subsidiarity principle a key aspect of the democratic process;

Efficiently', which must work hand in hand with the IIA to increase the trust of citizens, who consider the subsidiarity principle a key aspect of the democratic process, *and involve them to a greater degree in European decision-taking*;

Or. fr

Amendment 17
Gabriele Zimmer

Draft opinion
Paragraph 4

Draft opinion

4. Believes that *the 'Think Small First' principle can play an important role in job creation and growth by reducing the cost of legislation to SMEs*;

Amendment

4. Believes that legislation *should serve to protect the employees of all companies, regardless of size; emphasises that cooperation with trade unions and works councils can help to ensure that measures are implemented without unnecessary red tape, including in small and medium-sized companies*;

Or. de

Amendment 18
Jean Lambert

Draft opinion
Paragraph 4

Draft opinion

4. Believes that the 'Think Small First' principle *can play an important role in job creation and growth by reducing the cost of legislation to SMEs*;

Amendment

4. Believes that the 'Think Small First' principle *could support job creation but considers that the emphasis should not solely be on reducing the cost of legislation to SMEs; Warns at the risk of using lighter regimes for micro-enterprises and SMEs or to consider exemptions for micro-enterprises on a case-by-case basis, as these should never*

compromise on health, safety and employment standards; Reminds that according to UEAPME, the exemption of SMEs or micro enterprises of European legislation goes against SME interests^{1a}; considers however that European legislation should take into account the specific characteristics of SMEs and not only those of larger enterprises;

1a

http://www.ueapme.com/IMG/pdf/141017_news.pdf

Or. en

Amendment 19

Brando Benifei, Vilija Blinkevičiūtė, Agnes Jongerius, Sergio Gutiérrez Prieto, Emilian Pavel, Elena Gentile, Siôn Simon, Claudiu Ciprian Tănăsescu

Draft opinion Paragraph 4

Draft opinion

4. *Believes that the ‘Think Small First’ principle can play an important role in job creation and growth by reducing the cost of legislation to SMEs;*

Amendment

4. *Acknowledges the important role of SMEs in job creation and growth; points out that legislation can have a different impact on large enterprises and SMEs, which should be kept in mind during the drafting process; underlines the importance of good legislation which can help reducing unnecessary administrative burdens on SMEs; stresses, however, that all employees have a right to the highest level of protection regarding health and safety in the workplace regardless the size of the employer, the place of employment or the underlying contract;*

Or. en

Amendment 20 Anne Sander

Draft opinion
Paragraph 4

Draft opinion

4. Believes that the ‘Think Small First’ principle can *play an important role* in job creation and growth by *reducing the cost of legislation* to SMEs;

Amendment

4. Believes that the ‘Think Small First’ principle *is essential, as it can help to reduce the administrative burdens and the cost that legislation entails for SMEs, which can in turn serve to foster entrepreneurship, job creation, and growth; accordingly calls on the Commission, when carrying out its impact assessments, invariably to perform an ‘SME test’ in order to gauge how SMEs might be affected by its proposals and ensure that they largely apply the rules concerned, without, however, undermining their growth potential or shackling entrepreneurship; calls on the Commission and the co-legislators to ascertain, throughout the legislative process, what impact the rules being drafted are having on SMEs;*

Or. fr

Amendment 21
Anthea McIntyre

Draft opinion
Paragraph 4

Draft opinion

4. Believes that the ‘Think Small First’ principle can play an important role in job creation and growth by reducing the cost of legislation to SMEs;

Amendment

4. Believes that the ‘Think Small First’ principle can play an important role in job creation and growth by reducing the cost of legislation to SMEs; *encourages the Commission to consider how the needs of SMEs can be further taken into account when drafting legislation while continuing to ensure high standards of consumer, employee, health and environmental protection;*

Amendment 22
Jérôme Lavrilleux

Draft opinion
Paragraph 4

Draft opinion

4. Believes that the ‘Think Small First’ principle **can** play an important role in job creation and growth by reducing the cost of legislation to SMEs;

Amendment

4. Believes that the ‘Think Small First’ principle **must** play an important role in job creation and growth by reducing the cost of legislation to SMEs;

Or. fr

Amendment 23
Dominique Martin, Joëlle Mélin, Mara Bizzotto

Draft opinion
Paragraph 4

Draft opinion

4. **Believes** that the ‘Think Small First’ principle **can play** an important role in job creation and growth by reducing the cost of legislation to SMEs;

Amendment

4. **Maintains** that the ‘Think Small First’ principle **plays** an important role in job creation and growth by reducing the cost of legislation to SMEs;

Or. fr

Amendment 24
Brando Benifei, Vilija Blinkevičiūtė, Agnes Jongerius, Sergio Gutiérrez Prieto, Emilian Pavel, Elena Gentile, Siôn Simon, Claudiu Ciprian Tănăsescu

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4a. Urges the Commission, in the context of better law making, to better

assess social and environmental consequences of its policies, as well as the impact on the fundamental rights of citizens, by keeping in mind also the cost of non-legislation at European level as well as the fact that cost-benefit analyses are only one of many criteria;

Or. en

Amendment 25
Anne Sander, Claude Rolin

Draft opinion
Paragraph 5

Draft opinion

Amendment

5. *Calls for the Impact Assessment (IA) Handbook, and if necessary its Rules of Procedure, to provide that an IA on substantive amendments can be requested by a Committee where it is supported by political groups representing at least 40 % of the members of the Committee;*

deleted

Or. fr

Amendment 26
Brando Benifei, Vilija Blinkevičiūtė, Agnes Jongerius, Sergio Gutiérrez Prieto, Emilian Pavel, Elena Gentile, Siôn Simon, Claudiu Ciprian Tănăsescu

Draft opinion
Paragraph 5

Draft opinion

Amendment

5. *Calls for the Impact Assessment (IA) Handbook, and if necessary its Rules of Procedure, to provide that an IA on substantive amendments can be requested by a Committee where it is supported by political groups representing at least 40 % of the members of the Committee;*

deleted

Amendment 27
Gabriele Zimmer

Draft opinion
Paragraph 5

Draft opinion

5. Calls for *the Impact Assessment (IA) Handbook, and if necessary its Rules of Procedure, to provide that an IA on substantive amendments can be requested by a Committee where it is supported by political groups representing at least 40 % of the members of the Committee;*

Amendment

5. Calls for *impact assessments to be focused particularly on social, environmental and economic factors as well as consumer protection, sustainability and the cost at Union level of not regulating; emphasises that procedures in the event of any impact assessment on substantive amendments cannot be allowed to impinge on the right of democratically elected representatives to propose amendments in accordance with their conscience and their political convictions;*

Or. de

Amendment 28
Anthea McIntyre

Draft opinion
Paragraph 5

Draft opinion

5. Calls for the Impact Assessment (IA) Handbook, and if necessary its Rules of Procedure, to provide that an IA on substantive amendments can be requested by a Committee where it is supported by political groups representing at least 40 % of the members of the Committee;

Amendment

5. Calls for the Impact Assessment (IA) Handbook, and if necessary its Rules of Procedure, to provide that an IA on substantive amendments can be requested by a Committee where it is supported by political groups representing at least 40 % of the members of the Committee; *firmly believes that impact assessments on Parliament's amendments will help to reinforce our position without replacing the political decision-making process;*

Amendment 29
Jean Lambert

Draft opinion
Paragraph 5

Draft opinion

5. Calls for *the* Impact Assessment (IA) Handbook, and if necessary its Rules of Procedure, to provide that *an IA* on substantive amendments can be requested by a Committee where it is supported by political groups representing at least 40 % of the members of the Committee;

Amendment

5. Calls for *a Social* Impact Assessment (IA) Handbook, and if necessary its Rules of Procedure, to provide that *a SIA* on substantive amendments can be requested by a Committee where it is supported by political groups representing at least 40 % of the members of the Committee;

Or. en

Amendment 30
Anne Sander, Claude Rolin

Draft opinion
Paragraph 5 a (new)

Draft opinion

Amendment

5a. Points out that while impact assessments may help to improve the quality of EU legislation, the interinstitutional agreement of 13 April 2016 on better law-making nevertheless states that impact assessments are ‘not a substitute for political decisions within the democratic decision-making process’ and ‘must not be undue delays in the law-making process or prejudice the co-legislators’ capacity to propose amendments’;

Or. fr

Amendment 31
Anthea McIntyre

Draft opinion
Paragraph 5 a (new)

Draft opinion

Amendment

5a. *Believes that thorough impact assessments which comprehensively evaluate compliance with the principles of subsidiarity, and enhanced subsidiarity checks by all institutions are essential throughout the legislative process, particularly in light of the Pillar on Social Rights;*

Or. en

Amendment 32
Brando Benifei, Vilija Blinkevičiūtė, Agnes Jongerius, Sergio Gutiérrez Prieto, Emilian Pavel, Elena Gentile, Siôn Simon, Claudiu Ciprian Tănăsescu

Draft opinion
Paragraph 5 a (new)

Draft opinion

Amendment

5a. *Is convinced that sound impact assessments constitute an important tool to support decision-making and play a significant role in better regulation; underlines, however, that such assessments cannot substitute for political assessments and decisions;*

Or. en

Amendment 33
Anne Sander, Claude Rolin

Draft opinion
Paragraph 5 b (new)

Draft opinion

Amendment

5b. *Notes that, as specified in the interinstitutional agreement on better law-making, ‘Each of the three Institutions is responsible for determining how to organise its impact assessment work, including internal organisational resources and quality control’;*

Or. fr

Amendment 34
Anne Sander, Claude Rolin

Draft opinion
Paragraph 5 c (new)

Draft opinion

Amendment

5c. *Maintains that it is essential that, to quote the agreement, ‘The Commission’s initial impact assessment and any additional impact assessment work conducted during the legislative process by the Institutions’ should be made public by the end of the legislative process in order to ensure transparency in relation to citizens and stakeholders;*

Or. fr

Amendment 35
Gabriele Zimmer

Draft opinion
Paragraph 6

Draft opinion

Amendment

6. *Stresses the importance of the new provisions for public and stakeholder consultations which must be used both in the preparatory phase and throughout the*

6. *Points out that, under Articles 154 and 155 of the Treaty on the Functioning of the European Union (TFEU), management and labour have a particular*

entire legislative process;

role in the Union's legislative process; stresses that public consultations, important as they are in terms of transparency and the involvement of civil society, can be no substitute for consulting management and labour in accordance with Article 154; underlines the particular importance placed by Article 155 TFEU on contractual agreements between management and labour, and emphasises that the 'better law-making' agenda cannot have the effect of stopping the Commission from submitting such agreements to the Council for decision;

Or. de

Amendment 36
Anne Sander

Draft opinion
Paragraph 6

Draft opinion

6. Stresses the importance of the new provisions for public and stakeholder consultations which *must be used both in the preparatory phase and throughout the entire legislative process;*

Amendment

6. Stresses the importance of the new provisions for public and stakeholder consultations, which, *according to the agreement, are 'integral to well-informed decision-making and to improving the quality of law-making'; maintains that it is essential for public consultations of this kind to be carried out by the Commission during the preparatory phase of a proposal and for them to be conducted in an open and transparent way by being made available to all stakeholders in all of the EU languages;*

Or. fr

Amendment 37
Brando Benifei, Vilija Blinkevičiūtė, Agnes Jongerius, Sergio Gutiérrez Prieto, Emilian Pavel, Elena Gentile, Siôn Simon, Claudiu Ciprian Tănăsescu

Draft opinion
Paragraph 6

Draft opinion

6. Stresses the importance of *the new provisions for public and stakeholder consultations which must be used both in the preparatory phase and throughout the entire legislative process*;

Amendment

6. Stresses the importance of *timely, public and transparent stakeholder involvement and consultation with sufficient time for meaningful replies*;

Or. en

Amendment 38
Gabriele Zimmer

Draft opinion
Paragraph 7

Draft opinion

7. *Stresses the importance of the agreed ABS as a tool to identify and monitor the results of EU efforts to avoid overregulation and reduce administrative burdens*;

deleted

Amendment

Or. de

Amendment 39
Jean Lambert

Draft opinion
Paragraph 7

Draft opinion

7. *Stresses the importance of the agreed ABS as a tool to identify and monitor the results of EU efforts to avoid overregulation and reduce administrative burdens*;

deleted

Amendment

Or. en

Amendment 40

Brando Benifei, Vilija Blinkevičiūtė, Agnes Jongerius, Sergio Gutiérrez Prieto, Emilian Pavel, Elena Gentile, Siôn Simon, Claudiu Ciprian Tănăsescu

Draft opinion

Paragraph 7

Draft opinion

7. Stresses the importance *of the agreed ABS as a tool to identify and monitor the results of EU efforts to avoid overregulation* and reduce administrative burdens;

Amendment

7. Stresses the importance *to ensure good regulation* and reduce *unnecessary* administrative burdens;

Or. en

Amendment 41

Anne Sander

Draft opinion

Paragraph 7

Draft opinion

7. Stresses the importance of the agreed ABS as a tool to identify and monitor the results of EU efforts to avoid overregulation *and* reduce administrative burdens;

Amendment

7. Stresses the importance of the agreed ABS as a tool to identify and monitor the results of EU efforts to avoid overregulation, reduce administrative burdens, *and improve the quality of EU legislation, which has to be ambitious on the major issues*;

Or. fr

Amendment 42

Gabriele Zimmer

Draft opinion

Paragraph 8

Draft opinion

8. Urges the Commission to ***establish the ABS without delay, as it will play a key role in the implementation and application of EU legislation, in particular the scrutiny of Member States' transposition of directives, and of all national measures that go beyond the provisions of EU legislation ('gold-plating');***

Amendment

8. Urges the Commission to ***conduct regular and comprehensive reviews of the health, social, environmental and economic costs that result from the absence or inadequacy of employment protection and social protection regulation; emphasises that, under the subsidiarity principle, the employment and social protection standards laid down in directives are merely minimum standards and that Member States are specifically asked to go beyond those standards, in accordance with collective agreements and in the interest of protecting workers;***

Or. de

Amendment 43

Brando Benifei, Vilija Blinkevičiūtė, Agnes Jongerius, Sergio Gutiérrez Prieto, Emilian Pavel, Michael Detjen, Elena Gentile, Siôn Simon, Claudiu Ciprian Tănăsescu

**Draft opinion
Paragraph 8**

Draft opinion

8. ***Urges the Commission to establish the ABS without delay, as it will play a key role in the implementation and application of EU legislation, in particular the scrutiny of Member States' transposition of directives, and of all national measures that go beyond the provisions of EU legislation ('gold-plating');***

Amendment

8. ***Highlights the importance to scrutinise Member States' transposition and enforcement of directives, and all national measures that go beyond the provisions of EU legislation ('gold-plating');*** ***stresses in this context however the right of Member States to always maintain or introduce more stringent protective measures compatible with the Treaties than the minimum requirements set out in the EU directives, including in the field of social policy (Art.153(4) TFEU);***

Or. en

Amendment 44
Jean Lambert

Draft opinion
Paragraph 8

Draft opinion

8. *Urges the Commission* to establish the ABS *without delay*, as it *will* play a *key* role in the implementation and application of EU legislation, in particular the scrutiny of Member States' transposition of directives, *and of all national measures that go beyond the provisions of EU legislation ('gold-plating')*;

Amendment

8. *Notes the Commission's intention* to establish the ABS, as it *can* play a role in the implementation and application of EU legislation, in particular the scrutiny of Member States' transposition of directives;

Or. en

Amendment 45
Anne Sander

Draft opinion
Paragraph 8

Draft opinion

8. Urges the Commission to establish the *ABS without delay, as it will* play a key role in the implementation and application of EU legislation, *in particular* the scrutiny *of* Member States' transposition of directives, and *of* all national measures that go beyond the provisions of EU legislation ('gold-plating');

Amendment

8. Urges the Commission to establish, *without delay, all the measures proposed in the 'better law-making' IIA, especially those relating to sincere cooperation among the institutions, greater transparency in the legislative process, and the introduction of an ABS, which could* play a key role in the implementation and *proper* application of EU legislation, *and, at the same time, to bring particular scrutiny to bear on* Member States' transposition of directives, and *on* all national measures that go beyond the provisions of EU legislation ('gold-plating');

Or. fr

Amendment 46
Anthea McIntyre

Draft opinion
Paragraph 8

Draft opinion

8. Urges the Commission to establish the ABS without delay, as it will play a key role in the implementation and application of EU legislation, in particular the scrutiny of Member States' transposition of directives, and of all national measures that go beyond the provisions of EU legislation ('gold-plating');

Amendment

8. Urges the Commission to establish the ABS without delay, as it will play a key role in the implementation and application of EU legislation, in particular the scrutiny of Member States' transposition of directives, and of all national measures that go beyond the provisions of EU legislation ('gold-plating') ***whilst bearing in mind that Member States are free to apply higher standards if only minimum standards are defined by Union law; Believes in this regard that the ABS provides an excellent opportunity to demonstrate the added value of EU legislation and to provide transparency to our citizens;***

Or. en

Amendment 47
Anthea McIntyre

Draft opinion
Paragraph 8 a (new)

Draft opinion

8a. Regrets that the IIA failed to recognise the importance and relevance of the innovation principle in all policy sectors including employment and social affairs; Calls on the Commission to assess the impact of legislation on innovation;

Or. en

Amendment 48
Dominique Martin, Joëlle Mélin, Mara Bizzotto

Draft opinion
Paragraph 8 a (new)

Draft opinion

Amendment

8a. Considers that the transposition deadline to be met by Member States must not be shortened;

Or. fr

Amendment 49
Dominique Martin, Joëlle Mélin

Draft opinion
Paragraph 8 b (new)

Draft opinion

Amendment

8b. Maintains that no infringements should be brought into being and declared by the EU in relation to Member States that continue to be sovereign;

Or. fr

Amendment 50
Michael Detjen

Draft opinion
Paragraph 9

Draft opinion

Amendment

9. Believes that the RSB must show more ambition; calls for an evaluation and follow-up of the independence of the RSB in fulfilling its role of supervising and providing objective advice on impact assessments;

deleted

Or. de

Amendment 51
Gabriele Zimmer

Draft opinion
Paragraph 9

Draft opinion

9. ***Believes that the RSB must show more ambition; calls for an evaluation and follow-up of the independence of the RSB in fulfilling its role of supervising and providing objective advice on impact assessments;***

Amendment

9. calls for ***the Commission to examine in depth how the framework of Title X TFEU – and specifically Article 153 – could be more fully utilised to develop minimum social standards in the Union in the field of employment law and social protection, to achieve better law-making in that field and to promote the upward convergence of social conditions;***

Or. de

Amendment 52
Anthea McIntyre

Draft opinion
Paragraph 9

Draft opinion

9. Believes that the RSB must show more ambition; calls for an evaluation and follow-up ***of the independence*** of the RSB in fulfilling its role of supervising and providing objective advice on impact assessments;

Amendment

9. ***Notes that the RSB is a welcome first step towards achieving an independent scrutiny board;*** believes that the ***new*** RSB must show more ambition; calls for an evaluation and follow-up of the RSB in fulfilling its role of supervising and providing objective advice on impact assessments;

Or. en

Amendment 53
Brando Benifei, Vilija Blinkevičiūtė, Agnes Jongerius, Sergio Gutiérrez Prieto, Emilian Pavel, Elena Gentile, Siôn Simon, Claudiu Ciprian Tănăsescu

Draft opinion
Paragraph 9

Draft opinion

9. ***Believes that the RSB must show more ambition;*** calls for *an* evaluation and follow-up *of the independence* of the RSB *in fulfilling its role of supervising and providing* objective advice on impact assessments;

Amendment

9. Calls for ***a regular*** evaluation and follow-up ***on the work*** of the RSB ***to supervise and provided*** objective advice on impact assessments;

Or. en

Amendment 54
Anne Sander, Claude Rolin

Draft opinion
Paragraph 9

Draft opinion

9. Believes that the RSB must show more ambition; calls for an evaluation and follow-up of the independence of the RSB in fulfilling its role of ***supervising*** and providing objective advice on impact assessments;

Amendment

9. Believes that the RSB must show more ambition; calls for an evaluation and follow-up of the independence of the RSB in fulfilling its role of ***checking***, and providing objective advice on, ***the quality of impact assessments; considers it essential that RSB opinions should be published at the same time as the findings of impact assessments;***

Or. fr

Amendment 55
Jean Lambert

Draft opinion
Paragraph 9

Draft opinion

9. ***Believes that the RSB must show more ambition;*** calls for an evaluation and

Amendment

9. calls for an evaluation and follow-up of the independence of the RSB in

follow-up of the independence of the RSB in fulfilling its role of supervising and providing objective advice on impact assessments;

fulfilling its role of supervising and providing objective advice on impact assessments;

Or. en

Amendment 56

Dominique Martin, Joëlle Mélin

Draft opinion

Paragraph 9

Draft opinion

9. ***Believes that the RSB must show more ambition***; calls for an evaluation and follow-up of the independence of the RSB in fulfilling its role of supervising and providing objective advice on impact assessments;

Amendment

9. calls for an evaluation and follow-up of the independence of the RSB in fulfilling its role of supervising and providing objective advice on impact assessments;

Or. fr

Amendment 57

Brando Benifei, Vilija Blinkevičiūtė, Agnes Jongerius, Sergio Gutiérrez Prieto, Emilian Pavel, Elena Gentile, Siôn Simon, Claudiu Ciprian Tănăsescu

Draft opinion

Paragraph 9 a (new)

Draft opinion

Amendment

9a. ***Welcomes that the IIA stipulates to take “European added value” of any proposed Union action as well as the “cost of non-Europe” in the absence of action at Union level into account when setting the legislative agenda; highlights that the cost of non-Europe could be estimated at EUR 1.75 trillion per year, equivalent to 12 % EU GDP (2016)^{2a}; honours the work of the Directorate for Impact Assessment and European Added Value of the European Parliamentary Research***

Service (EPRS) in this context;

2a

http://www.europarl.europa.eu/RegData/etudes/STUD/2017/603239/EPRS_STU%282017%29603239_EN.pdf

Or. en

Amendment 58

Brando Benifei, Vilija Blinkevičiūtė, Agnes Jongerius, Sergio Gutiérrez Prieto, Emilian Pavel, Elena Gentile, Siôn Simon, Claudiu Ciprian Tănăsescu

Draft opinion

Paragraph 9 b (new)

Draft opinion

Amendment

9b. Highlights that the choice of the legal bases of a proposal by the Commission should be made on objective grounds which are subject to judicial review; stresses however the right of the Parliament, as co-legislator, to propose modifications to the legal bases, on the basis of its interpretation of the Treaties;

Or. en

Amendment 59

Brando Benifei, Vilija Blinkevičiūtė, Agnes Jongerius, Sergio Gutiérrez Prieto, Emilian Pavel, Michael Detjen, Elena Gentile, Siôn Simon, Claudiu Ciprian Tănăsescu

Draft opinion

Paragraph 9 c (new)

Draft opinion

Amendment

9c. Stresses that better law making should focus less on reducing regulation and concentrate more on quality legislation and its ability to protect and promote the interests of EU citizens; highlights the importance of giving

fundamental rights as well as employment and health and safety considerations the same weight as financial considerations when legislative fitness checks are carried out; points out that in the case of conflicts fundamental rights should always take precedence;

Or. en

Amendment 60
Gabriele Zimmer

Draft opinion
Paragraph 10

Draft opinion

Amendment

10. Calls on the Commission to come forward with proposals for targets for the reduction of burdens in key sectors.

deleted

Or. de

Amendment 61
Brando Benifei, Vilija Blinkevičiūtė, Agnes Jongerius, Sergio Gutiérrez Prieto, Emilian Pavel, Elena Gentile, Claudiu Ciprian Tănăsescu

Draft opinion
Paragraph 10

Draft opinion

Amendment

10. Calls on the Commission to come forward with proposals for targets for the reduction of burdens in key sectors.

deleted

Or. en

Amendment 62
Anne Sander

Draft opinion
Paragraph 10

Draft opinion

10. ***Calls on*** the Commission ***to come forward with proposals for targets*** for the reduction of burdens in ***key sectors***.

Amendment

10. ***Notes that, as stated in the agreement, ‘The Commission [... is to] assess the feasibility of establishing, in [the regulatory fitness and performance programme,] REFIT, objectives for the reduction of burdens in specific sectors’ to help reduce the regulatory and administrative burden overall; calls on the Commission to clarify and spell out the nature of these objectives to be attained and the ways to attain them so as to ensure that they can bring tangible changes for the better for businesses without making it more difficult to achieve the EU’s ambitious strategic goals;***

Or. fr

Amendment 63
Anthea McIntyre

Draft opinion
Paragraph 10

Draft opinion

10. ***Calls on*** the Commission to come forward with proposals ***for*** targets for the reduction of burdens in key sectors.

Amendment

10. ***Reminds*** the Commission ***of its commitment in the IIA to burden reduction and calls for the Commission as a matter of urgency*** to come forward with proposals ***establishing*** targets for the reduction of burdens in key sectors ***as soon as possible, while continuing to ensure high standards of consumer, employee, health and environmental protection;***

Or. en

Amendment 64
Jean Lambert

Draft opinion
Paragraph 10

Draft opinion

10. Calls on the Commission to come forward with proposals for targets for the reduction of burdens in key sectors.

Amendment

10. ***Points out that the widespread existing use of exemptions and exceptions under EU legislation is itself a major contributing factor to regulatory complexity;*** Calls on the Commission to come forward with proposals for targets for the reduction of ***unjustified*** burdens in key sectors.

Or. en

Amendment 65
Jérôme Lavrilleux

Draft opinion
Paragraph 10

Draft opinion

10. Calls on the Commission to come forward with proposals for targets for the reduction of burdens in key sectors.

Amendment

10. Calls on the Commission to come forward ***regularly*** with proposals for targets for the reduction of burdens in key sectors.

Or. fr

Amendment 66
Dominique Martin, Joëlle Mélin

Draft opinion
Paragraph 10

Draft opinion

10. Calls on the Commission to come forward with proposals for targets for the reduction of burdens in key sectors.

Amendment

10. Calls on the Commission to come forward with proposals for numerical targets for the reduction of burdens in key sectors.

Or. fr

Amendment 67
Anthea McIntyre

Draft opinion
Paragraph 10 a (new)

Draft opinion

Amendment

10a. Recalls that in its decision of 9 March 2016 on the new IIA, Parliament stated that the wording contained in the IIA does not sufficiently commit the three Institutions to include SME and competitiveness tests in their impact assessments; firmly believes that further steps should be taken to commit all three institutions to include SME and competitiveness tests in their impact assessments;

Or. en

Amendment 68
Anthea McIntyre

Draft opinion
Paragraph 10 b (new)

Draft opinion

Amendment

10b. Calls on the EMPL Committee to set aside Committee time on a regular basis to undertake an analysis of the implementation of legislation; believes that the Committee should invite the Commission on a regular basis to present its impact assessments at a full Committee meeting;

Or. en

Amendment 69
Anthea McIntyre

Draft opinion
Paragraph 10 c (new)

Draft opinion

Amendment

10c. Calls on the Employment Committee to systematically review Commission Impact Assessments and review the European Parliament's ex-ante Impact Assessment analysis as early as possible in the legislative process;

Or. en