

EUROPEAN PARLIAMENT

2004



2009

Committee on Employment and Social Affairs

2005/2140(INI)

7.3.2006

OPINION

of the Committee on Employment and Social Affairs

for the Committee on Budgetary Control

on minimising administrative costs imposed by legislation
(2005/2140(INI))

Draftsman: Ole Christensen

PA_NonLeg

SUGGESTIONS

The Committee on Employment and Social Affairs calls on the Committee on Budgetary Control, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Agrees that the regulatory environment in which businesses operate is a determinant of their competitiveness, sustainable growth and employment performance and that ensuring that the existing and future regulatory environment is transparent, clear, effective and generally of high quality should be an important objective for EU policy;
2. Emphasises the importance of fully applying the principles of subsidiarity and proportionality in adopting Community legislation;
3. Stresses that the effect of simplifying and updating of existing legislation should not be deregulation, diluting health and safety legislation or dismantling basic social standards; calls on the Commission to make sure that legislation continues to deliver improvements of social standards whilst at the same time not being detrimental to business competitiveness; recognises that one important way of improving social standards is to reduce unemployment, by fostering a regulatory climate which promotes enterprise and job creation;
4. Welcomes the interinstitutional agreement on better lawmaking and calls on the Council, the Commission and the Parliament to make this a reality;
5. Calls on the Commission, within the framework of the interinstitutional agreement on better law-making, to adopt targeted, well-considered legislation with predictable consequences which will contribute to creating favourable conditions by providing suitable incentives for undertakings, companies, reducing superfluous expenditure and procedures, removing barriers to adaptability and innovation and generally providing legal security;
6. Highlights the need for the Commission, the Member States and the European Parliament to cooperate and to commit to a common and comprehensive strategy to promote better regulation in order to strengthen the Partnership for Growth and Jobs, namely through the examination of the different national legislative frameworks and from these incorporating the best proven practices; calls on the Commission to respect the different practices and national strategies adopted by the Member States whether they implement European directives in the fields of employment and social protection through collective agreements or by regulation and law;
7. Calls on the Commission to ensure that, during implementation of the impact assessment guidelines a study of economic activities improves the quality of the actual impact; insists that it is imperative that impact assessments, by either European institution or Member States, are conducted in a thorough, transparent and balanced way, encompassing social, economic and environmental aspects in an equally weighed manner;
8. Stresses the importance of better implementation and enforcement of existing legislation, especially social legislation and legislation to drive the completion of the internal market

across all Member States and calls for infringement procedures to be rapid in order to ensure a level playing field; calls on the Commission and the Member States to improve mechanisms for identifying legislation which must be simplified;

9. Welcomes the emphasis which is put on early consultation of stakeholders, including the social partners, SMEs, legislators, law enforcement bodies and non-governmental organisations; underlines the role of social dialogue as a useful tool contributing to better European governance ensuring a better balance of interests through involvement of all actors in decision-making and in the implementation process; stresses that 'all actors' must include those working in SMEs, as laid down in the SME Charter and agreed by the Lisbon Council; calls on the Commission to take initiatives to extend and enhance social dialogue at European level and, on the basis of the outcome, to continue to improve social standards without disregarding the need to preserve jobs.

SHORT JUSTIFICATION

Better regulation is one of the key-elements of the re-launch of the Lisbon Strategy which identified the need to boost economic growth and job creation.

Transparent high quality regulation not only serves the interests of industry, but also the European citizen. The ultimate aim of the Better Regulation exercise should be to create more quality jobs.

The present Commission Communication on "Better regulation for growth and jobs" builds on the Commission's initiative "Action Plan on simplifying and improving the regulatory environment" as part of the EU White Paper on Governance (2002) and the Inter-institutional Agreement on Better Lawmaking, agreed in December 2003 by the European Commission, European Parliament and the Council.

The Communication proposes three action lines:

- further promoting the design and application of better regulation tools at the EU level, notably in so far as impact assessments and simplification are concerned,
- working closely with the Member States to ensure that better regulation principles are applied consistently throughout the EU by all regulators,
- reinforcing the constructive dialogue between all regulators at the EU and national levels and with stakeholders.

Simplification of existing legislation

Your draftsman agrees with the Commission that efficacy and enforceability of legislation can be served by clear and simple drafting, on the condition that the quality remains high. However, he stresses that better regulation should not mean deregulation nor relaxing or dismantling of social standards.

In this same light, your draftsman also wishes to underline the importance of better implementation and enforcement of already existing social legislation.

Impact assessment

The Commission states that it intends to strengthen the assessment of economic impacts of new legislation. This deepening of the economic pillar of the impact assessment should however not compromise the social elements duly being taken into account. Potential economic, social and environmental impacts of new legislation should be given equal weight.

Social dialogue

Social dialogue ensures the involvement of relevant stakeholders, while at the same time contributes to a better balance of interests and to more practical resolutions. It should be recognised as a valid tool of co-regulation, that could serve the better quality of regulation. Therefore, social dialogue should be reinforced both on the European and the national level.

PROCEDURE

Title	Minimising administrative costs imposed by legislation
Procedure number	2005/2140(INI)
Committee responsible	CONT
Opinion by Date announced in plenary	EMPL 8.9.2005
Enhanced cooperation – date announced in plenary	no
Drafts(wo)man Date appointed	Ole Christensen 12.9.2005
Previous drafts(wo)man	---
Discussed in committee	5.10.2005 26.1.2006
Date adopted	22.2.2006
Result of final vote	+: 32 -: 1 0: 2
Members present for the final vote	Jan Andersson, Roselyne Bachelot-Narquin, Jean-Luc Bennaïmias, Emine Bozkurt, Iles Braghetto, Philip Bushill-Matthews, Alejandro Cercas, Ole Christensen, Derek Roland Clark, Luigi Cocilovo, Jean Louis Cottigny, Proinsias De Rossa, Harald Ettl, Richard Falbr, Ilda Figueiredo, Joel Hasse Ferreira, Roger Helmer, Stephen Hughes, Karin Jöns, Sepp Kusstatscher, Jean Lambert, Raymond Langendries, Bernard Lehideux, Elizabeth Lynne, Thomas Mann, Mario Mantovani, Ana Mato Adrover, Maria Matsouka, Ria Oomen-Ruijten, Csaba Öry, Siiri Oviir, Marie Panayotopoulos-Cassiotou, Pier Antonio Panzeri, José Albino Silva Peneda, Jean Spautz, Gabriele Zimmer
Substitute(s) present for the final vote	Elspeth Attwooll, Edit Bauer, Mihael Brejc
Substitute(s) under Rule 178(2) present for the final vote	---
Comments (available in one language only)	...