List of publications from the EP Think Tank
https://www.europarl.europa.eu/thinktank

Search criteria used to generate the list:

Sort Sort by date
Policy area "Ex-ante Impact Assessment"

208 result(s)

Creation date : 08-04-2020
What if smartphones could help contain COVID-19?

Publication type: At a Glance
Date: 24-03-2020
Author: CHRISTIAN MARTIN KURRER
Summary: In recent years, smartphones have increasingly attracted attention as a key tool in emergency and disaster situations. Almost all smartphones are nowadays equipped with GPS sensors that can track the location of their owners. Comparing the location history of infected individuals with the location history of all other Smartphone users (tested positive or not yet tested) could help health authorities gain much better understanding of where the transmission might have occurred, and who else should be tested with urgency, avoiding the further spread of the infection.

The European Commission package of ETIAS consequential amendments: Substitute impact assessment

Publication type: Study
Date: 20-12-2019
External author: This study has been written by Dr Niovi Vavoula from Queen Mary University of London at the request of the Ex-ante Impact Assessment Unit of the Directorate for Impact Assessment and European Added Value, within the Directorate-General for Parliamentary Research Services (EPRS) of the Secretariat of the European Parliament.
Policy area: Area of Freedom, Security and Justice | Ex-ante Impact Assessment | Human Rights
Summary: On 7 January 2019, the European Commission presented two proposals for amendments to the legal instruments of the EU information systems following the adoption of Regulation 2018/1240 on the establishment of a European Travel Information and Authorisation System (ETIAS). The ETIAS Regulation requires all visa-exempt non-EU nationals to apply online for travel authorisation prior to the date of their departure. Neither the original Commission proposal for ETIAS, nor the two subsequent proposals (‘the Commission package’) were accompanied by Commission impact assessments. The European Parliament’s Committee on Civil Liberties, Justice and Home Affairs (LIBE) therefore requested a targeted substitute impact assessment of the expected fundamental rights impacts of specific elements of the Commission package. In particular, this study assesses: 1) whether the amendments to the ECRIS-TCN Regulation provided for in the Commission package extend the scope of that information system and, if so, whether such an extension is necessary and proportionate in accordance with Article 52(1) of the EU Charter; and 2) whether the amendments regarding the automated processing of ETIAS application files through comparisons against data present in EU information systems raise concerns in relation to the rights to respect for private life and protection of personal data.

Appraising the quality of the European Commission’s impact assessments

Publication type: Study
Date: 18-12-2019
External author: DG, EPRS
Policy area: Ex-ante Impact Assessment
Summary: Based on a scoring exercise of 132 Commission Impact Assessments, adopted between July 2015 and December 2018, and their appraisal by the IMPA unit of the EPRS, this study provides a critical assessment of the strengths and weaknesses of these IAs. While their overall average quality is considered satisfactory, the analysis finds considerable variation between different parts of an IA. In view of contributing to future improvements of the IA process and promoting the value of IAs to support transparent political decision-making, this study indicates the main structural shortcomings to be addressed.

Outcome of the meetings of EU leaders, 12-13 December 2019

Publication type: Briefing
Date: 17-12-2019
Author: Ralf DRACHENBERG | Suzana Elena ANGHEL
Summary: At the first European Council meeting chaired by the new President, Charles Michel, the main issues on the agenda were climate change, the next Multiannual Financial Framework (MFF), and the proposed Conference on the Future of Europe. Regarding climate change, the European Council announced an agreement on the objective of achieving a climate-neutral EU by 2050, despite the refusal of one Member State to commit to implementing this objective at this stage. On the MFF, the European Council did not reach agreement, but mandated its President to take the negotiations forward. The European Council also considered the idea of a Conference on the Future of Europe, and tasked the in-coming Croatian Council presidency to work towards defining a Council position on the matter, and on that basis, to engage with the European Parliament and the Commission. EU leaders also discussed a wide range of international issues, including relations with Turkey and Russia.
**European Institute of Innovation and Technology and its Strategic Innovation Agenda, 2021-2027**

**Publication type**: Briefing  
**Date**: 12-12-2019  
**Author**: Laura ZANDERSONE  
**Policy area**: Ex-ante Impact Assessment | Forward Planning  
**Summary**: The main objective of the European Institute of Innovation and Technology (EIT) is to stimulate and support innovation and competitiveness in Europe. In this light, it is regrettable that the impacts on SMEs, competitiveness, or territorial impacts are not discussed in the impact assessment. The budget of the EIT under Horizon 2021-2027 proposal is EUR 3 billion. As most innovation activities managed by EIT take place in 5 countries only, improved regional outreach is one of the objectives of this initiative. New activity - HEInnovate - is proposed to support entrepreneurial and innovation capacity of universities.

**Briefing**  
**EN**

---

**Payment service providers and the fight against e-commerce VAT fraud**

**Publication type**: Briefing  
**Date**: 24-10-2019  
**Author**: Esther KRAMER  
**Policy area**: Ex-ante Impact Assessment | Internal Market and Customs Union | Economics and Monetary Issues  
**Summary**: This briefing analyses the quality of the IA accompanying the Commission's proposal to transmit payment service providers' data to the national tax authorities of the EU Member States in order to combat cross-border e-commerce VAT fraud. The IA focuses on the economic impacts, namely the potential recovery of VAT loss by Member States, which is expected to outweigh the costs of the initiative (even though benefits and costs could not be quantified with certainty). Regional divergences are acknowledged in the IA, but not assessed. The IA also admits that a key assumption, the improved cooperation with third countries, remains uncertain (it could imply counterproductive trade diversion towards extra-EU areas).

**Briefing**  
**EN**

---

**Revision of the EU system for monitoring, reporting and verifying CO2 emissions from ships**

**Publication type**: Briefing  
**Date**: 18-10-2019  
**Author**: STEFANO VETTORAZZI  
**Policy area**: Environment | Ex-ante Impact Assessment | Transport  
**Keyword**: greenhouse gas | reduction of gas emissions | pollution from ships  
**Summary**: This initial appraisal assesses the strengths and weaknesses of the European Commission's impact assessment accompanying its proposals to revise the EU system to monitor, report, and verify CO2 emissions from ships, established by Regulation (EU) 2015/757. The proposal envisages aligning partially the EU system with the system adopted by the International Maritime Organization to monitor and report ship's fuel oil consumption. While the IA clearly identifies the problem – to facilitate the simultaneous application of the EU and IMO systems – its evolution could have been substantiated further. The general objectives identified by the IA are not entirely consistent with the manner in which the problem was defined; furthermore, there are no specific objectives, contrary to the requirements of the Better Regulation guidelines. The operational objective identified is not defined in operational terms. The only two options considered for further assessment, in addition to the baseline, do not appear to be substantially very different from each other, with the third option even being judged artificial by the Commission's Regulatory Scrutiny Board. Moreover, the IA does not appear to have succeeded in structuring these two options convincingly. The analysis regarding the impacts of the identified options is very succinct. The Commission consulted a wide range of stakeholders, whose views were satisfactorily reported in the IA and were taken into account when considering the policy options. Overall, the IA appears to have taken on board most of the RSB's recommendations. However, the final revision of the IA report does not appear to have quantified the cost savings of the preferred option, as demanded by the RSB, and still contains Option 3, which the RSB had recommended to discard. As the IA does not explain how it has addressed the Board's suggestion regarding Option 3, it is unclear whether any changes were made to it or it was left untouched. Finally, the legislative proposal seems to be substantially consistent with the analysis carried out in the IA.

**Briefing**  
**EN**

---

**The European Council's role in the EU policy cycle**

**Publication type**: Briefing  
**Date**: 02-09-2019  
**Author**: Ralf DRACHENBERG  
**Keyword**: European Council | EU policy | powers of the institutions (EU)  
**Summary**: Since its establishment in 1975, the European Council, which is made up of the Heads of State or Government of EU Member States, has wielded considerable influence over the development of the European Union. According to the Treaties, the European Council's primary role is to 'define the general political directions and priorities' (Article 15(1) of the Treaty on European Union). This role has rapidly evolved over the past decade, and today the European Council's involvement in the EU policy cycle is much broader, covering tasks from agenda-setting to exercising scrutiny. In practice, its activities often exceed the role envisaged in the Treaties. This level of involvement has a significant impact both on the role of the other EU institutions within the policy cycle and the functioning of the ordinary legislative procedure.

**Briefing**  
**EN**
Impact Assessment and European Added Value work during the eighth legislative term, 2014-2019

Publication type: Briefing
Date: 03-07-2019
Author: WOLFGANG HILLER
Keyword: impact study | drafting of EU law | legislation | policymaking
Summary: The responsibility for better law-making is shared between the European Union institutions. In recent years Parliament has developed its own instruments to guarantee proper and independent assessment and to support parliamentary committees in their work. The concept of impact assessment is applied throughout the whole policy cycle – on both an ex-ante and an ex-post basis – from the design of legislation through to its implementation, evaluation and revision. The European Parliament also advocates a proper assessment of European added value, in terms of what savings will result from a European solution and if supplementary costs would arise in the absence of a European solution. This briefing provides a look back over five years' experience in support of better regulation for the benefit of citizens.

The relationship between artistic activities and digital technology development

Publication type: Study
Date: 03-05-2019
External author: DG, EPRS
Policy area: Culture | Research Policy | European Added Value | Ex-ante Impact Assessment | Forward Planning | Social Policy | Employment | Internal Market and Customs Union | Education
Keyword: impact study | artistic creation | arts | technological change | digital technology
Summary: This report examines how digital technology change is affecting artistic activity and how artistic activity is affecting digital technology. Artistic activity is broadly defined to include design, film, computer games, architecture, music and fashion as well as art. The focus is on digital technology’s role in creative activity. The study examines global trends with a particular focus on the European Union (EU). It describes likely future trends and sets out policy options to encourage activity at the intersection of artistic and technological skills.

An EU framework to facilitate investments in environmentally sustainable economic activities

Publication type: Briefing
Date: 12-04-2019
Author: STEFANO VETTORAZZI
Policy area: Environment | Ex-ante Impact Assessment | Financial and Banking Issues
Keyword: green economy | impact study | sustainable development | economic instrument for the environment | investment
Summary: This initial appraisal assesses the strengths and weaknesses of the European Commission's impact assessment accompanying its proposals for three regulations on: establishing a framework to facilitate sustainable investment disclosures relating to sustainable investments and sustainability risks; and on introducing two new categories of carbon benchmarks in the (benchmark) Regulation (EU) 2016/1011. The legislative package on sustainable finance deals with technical and inherently complex issues; it is therefore not surprising that the IA accompanying it reflects such a complexity, which is not always dealt with in a clear and immediately understandable way. This might also explain the double negative opinions, unusually followed in this case by a positive opinion with reservations issued by the Commission's Regulatory Scrutiny Board (RSB). The consequences of the two identified problems (lack of incentives to consider ESG factors and high search costs faced by end-investors), and how they would evolve without EU action, are described in a satisfactory way, as well as their underlying drivers. As required, the IA identifies general and specific objectives, but no operational objectives that would have informed about how the preferred options are expected to operate in practice. This is very likely due to the fact the operational aspects of the proposals are envisaged to be defined, and analytically developed, by subsequent delegated acts. The IA's preferred options are selected after considering both a non-legislative and a regulatory approach, although two of them contains some aspects that are not entirely clear. As regards its scope, the IA has only partially succeeded in explaining the impacts considered in an entirely satisfactory way. The IA does not include an analysis of competitiveness nor an analysis of impacts, if any, on SMEs. The evidence included in the IA provides ample and detailed insights into the issues considered and some methodological limitations, regarding the proposal on low carbon and positive carbon impact benchmarks are acknowledged in the IA. The Commission has consulted extensively a broad range of stakeholders, whose views have been satisfactorily reported in the IA or in a separate document containing the results of the second open public consultation. Overall, the IA appears to have addressed the majority of the improvements requested by the RSB. Finally, the legislative proposals seem to be consistent with the analysis carried out in the IA.
How artificial intelligence works

Publication type: Briefing  
Date: 14-03-2019  
Author: Philip Nicholas BOUCHER  
Summary: This briefing provides accessible introductions to some of the key techniques that come under the AI banner, grouped into three sections to give a sense the chronology of its development. The first describes early techniques, described as ‘symbolic AI’ while the second focusses on the ‘data driven’ approaches that currently dominate and the third looks towards possible future developments. By explaining what is ‘deep’ about deep learning and showing that AI is more maths than magic, the briefing aims to equip the reader with the understanding they need to engage in clear-headed reflection about AI’s opportunities and challenges, and meaningful debates about its development.

Briefing  EN

What if your emotions were tracked to spy on you?

Publication type: At a Glance  
Date: 13-03-2019  
Author: Lieve VAN WOENSEL  
Keyword: regulation (EU) | data-processing law | biometrics | protection of privacy | impact of information technology | espionage | video surveillance | personal data | surveillance | data protection  
Summary: Recent reports of celebrity singer, Taylor Swift, deploying facial recognition technology to spot stalkers at her concerts raised many eyebrows. What started out as a tool to unlock your smartphone or tag photos for you on social media is surreptitiously becoming a means of monitoring people in their daily lives without their consent. What impact and implications are facial recognition technology applications likely to have, and what can be done to ensure the fair engagement of this technology with its users and the public at large?

At a Glance  EN

Setting minimum requirements for water reuse

Publication type: Briefing  
Date: 06-09-2018  
Author: Vera VIKOLAINEN  
Policy area: Environment | Food Safety | Ex-ante Impact Assessment | Agriculture and Rural Development  
Keyword: wastewater | EU Member State | environmental protection | water supply | public health | use of water | water consumption | impact study | water resources | irrigation | water requirements | water treatment | proposal (EU)  
Summary: The Commission proposal aims to increase the uptake of water reuse for agricultural irrigation. The supporting impact assessment (IA) is based on extensive data and analysis. The range of options, the scope and the analysis of impacts, and the stakeholder consultation seem to have been done in line with the Better Regulation Guidelines. However, the objectives set in the IA are not time-bound, nor measurable. Furthermore, proportionality of the options and the presentation of the problem could be improved.

Briefing  EN

Streamlining measures for advancing the realisation of the Trans-European Transport Network

Publication type: Briefing  
Date: 28-08-2018  
Author: ULLA-MARI TUOMINEN  
Policy area: Ex-ante Impact Assessment | Transport  
Keyword: impact study | project of common interest | EU Member State | transport network | trans-European network | proposal (EU) | administrative procedure  
Summary: Removing obstacles to investments in infrastructure projects, like the Trans-European Transport network (TEN-T), contributes to the Investment Plan for Europe. The European Commission recently issued a legislative proposal to streamline measures for advancing realisation of the TEN-T, as problems concerning delays and legal uncertainties impact on the effective completion. This briefing provides an initial analysis of the strengths and weaknesses of the European Commission’s impact assessment accompanying the above-mentioned proposal and assesses in particular to what extent the requirements of the Commission’s own Better Regulation Guidelines have been respected. Overall, the impact assessment appears to provide a comprehensive problem analysis and to link it with objectives and options. However, some issues could have been further explained and the objectives could have been more specific. Greater attention could also have been given to the initiative’s impact on SMEs and more detailed information provided about the respondents in the consultation process.

Briefing  EN
Cross-border distribution of collective investment funds

Publication type: Briefing
Date: 27-08-2018
Author: Katharina EISELE
Policy area: Area of Freedom, Security and Justice | Ex-ante Impact Assessment | Security and Defence | Human Rights
Keyword: visa policy | border control | biometrics | EU migration policy | area of freedom, security and justice | information system | exchange of information | personal data | Schengen Agreement | data protection | admission of aliens | external border of the EU
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission’s impact assessment (IA) accompanying the above proposals on (1) borders and visa; and on (2) police and judicial cooperation, asylum and migration, submitted on 12 December 2017 and referred to Parliament’s Committee on Civil Liberties, Justice and Home Affairs. In 2016, the European Commission stressed the need for interoperability between EU border and security information systems. Likewise, the Joint Declaration on the EU’s legislative priorities for 2018-2019 identified interoperable EU information systems as a key priority. The initiative aims to make information exchange and data sharing between the various EU information systems more effective and efficient, fully upholding fundamental rights, so as to boost the protection of the EU’s external borders, improve migration management and enhance internal security. Interoperability is not a new topic, already in 2004 the European Council called for enhanced interoperability between the Schengen Information System (SIS) II, the Visa Information System (VIS) and Eurodac (the EU asylum fingerprint database).

European crowdfunding service providers for business

Publication type: Briefing
Date: 29-05-2018
Author: Esther KRAMER
Policy area: Ex-ante Impact Assessment | Economics and Monetary Issues | Financial and Banking Issues
Keyword: impact study | crowdfunding | approximation of laws | early-stage capital | financial legislation | innovation | investment | provision of services | start-up | small and medium-sized enterprises | financial services | proposal (EU)
Summary: This briefing provides an initial analysis of the strengths and weaknesses of the European Commission's impact assessment (IA) accompanying the above-mentioned proposal, published on 8 March 2018 and referred to Parliament’s Committee on Economic and Monetary Affairs (ECON). The strengthening of the capital markets to boost long-term investment in the EU is a priority EU goal. In this context, the Commission’s 2017 mid-term review of the capital markets union (CMU) action plan noted that access to finance for small, innovative businesses is a challenge in all EU countries, even those where access to bank finance has remained stable during the financial crisis. Start-ups and other unlisted firms lack risk finance to invest in innovation and growth, in particular in the early stages of their development (IA, p. 6). In view of closing this gap and complementing bank financing, the Commission supports alternative sources of financing, including technology-enabled financial services, the largest part of which consists in crowdfunding. In this context, crowdfunding is defined as an ‘open call for the collecting of resources … from the wider public through an internet-based platform for a specific project’ (IA, p. 8). A 2016 Commission staff working document noted that crowdfunding has been developing rapidly since 2013, but remained concentrated in a few EU countries, with 81 % market share in the United Kingdom (UK) (IA, p. 16). Some Member States introduced national rules to regulate their online platforms and/or apply elements of existing EU legislation on financial services to specific types of crowdfunding, while others leave some aspects of the activity unregulated. This regulatory patchwork hinders cross-border crowdfunding and creates considerable market fragmentation (IA, pp. 26-30).

Interoperability between EU information systems for security, border and migration management

Publication type: Briefing
Date: 14-02-2018
Author: Esther KRAMER
Policy area: Ex-ante Impact Assessment | Economics and Monetary Issues | Financial and Banking Issues
Keyword: impact study | investment transaction | UCITS fund | cross-border dimension | alternative investment | financial legislation | marketing | capital market | proposal (EU) | European Securities and Markets Authority
Summary: The European Commission recently issued a legislative proposal to increase cross-border distribution of investment funds. This briefing provides an initial analysis of the strengths and weaknesses of the impact assessment accompanying the Commission's proposal. Based on both internal and some external sources, as well as several stakeholder consultations, the impact assessment provides useful information, but lacks coherence and transparency. It acknowledges some limitations, citing lack of data and the influence of other factors, which are out of the scope of the impact assessment. The range of proposed policy options is rather limited for some areas. The impact assessment focuses on average cost effects for asset managers (and for competent authorities), without taking into account social or territorial implications and without analysing, for instance, the effects on SMEs or on the EU27 after Brexit.

Briefing EN

08-04-2020
Source: © European Union, 2020 - EP
European Market Infrastructure Regulation

Publication type Briefing
Date 10-01-2018
Author Claudio COLLOVA

Policy area Ex-ante Impact Assessment | Economics and Monetary Issues | Financial and Banking Issues
Keyword impact study | third country | European System of Central Banks | financial transaction | central bank | financial control | market supervision | financial legislation | financial instrument | capital market | proposal (EU) | European Securities and Markets Authority

Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's impact assessment (IA) accompanying its proposal above, submitted on 13 June 2017 and referred to Parliament's Committee on Economic and Monetary Affairs (ECON). This proposal amends the European Market Infrastructure Regulation (EMIR), which is already in the process of being amended by two proposals currently under consideration in Parliament. The first proposal focused on the recovery and resolution of central counterparties (CCPs). The second proposal proposed targeted amendments aiming to meet EMIR objectives in a more effective and efficient way. The current initiative under consideration focuses on the optimisation of CCPs and on the recognition of third-country CCPs. The impact assessment clearly identifies the problems that require EU action, as well as their drivers and consequences. The objectives of the initiative appear to be coherent with the analysis, and are relevant and meaningful. The IA analyses a limited number of alternatives to the status quo in depth: two for each of the objectives, which deal respectively with EU and third-country central counterparties. These options are phrased in rather general terms and are left open to further development. The analysis is based on relevant sources and the Commission's expert knowledge in the field. However, the IA appears to have been prepared in a rather limited time-span and could have benefited from further work.

European Market Infrastructure Regulation-Regulatory Fitness and Performance (REFIT) proposal

Publication type Briefing
Date 15-12-2017
Author Claudio COLLOVA

Policy area Ex-ante Impact Assessment | Economics and Monetary Issues | Financial and Banking Issues
Keyword regulation (EU) | technical standard | administrative control | administrative transparency | powers of the institutions (EU) | contract | European Securities and Markets Authority | impact study | financial transaction | amendment of a law | futures market | financial legislation | market supervision | proposal (EU)

Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's impact assessment (IA) accompanying its above-mentioned proposal amending the European Market Infrastructure Regulation (EMIR), submitted on 4 May 2017 and referred to Parliament's Committee on Economic and Monetary Affairs. The IA accompanying a subsequent Commission proposal (COM(2017) 331), also amending the EMIR regulation, as regards the authorisation of central counterparties and the recognition of third-country central counterparties, will be analysed in a forthcoming initial appraisal. This proposal is part of the Commission's REFIT programme, which aims to make EU law 'simpler, lighter, more efficient and less costly' (Better Regulation Guidelines of 2015, p. 91). EMIR, adopted in 2012, forms part of the European regulatory response to the financial crisis. It specifically addresses the problems observed in the functioning of the over-the-counter (OTC) derivatives market from the 2007-2008 financial crisis onwards.

New model of governance and accountability of data protection by Union institutions and bodies

Publication type Study
Date 27-10-2017
External author This study has been written by Fabrice Naftalski and Louise Feuvet of Ernst & Young Société d’Avocats and Marie Brunagel and Véronique Menez of EY Advisory, at the request of the Ex-Ante Impact Assessment Unit of the Directorate for Impact Assessment and European Added Value, within the Directorate-General for Parliamentary Research Services (DG EPRS) of the European Parliament.

Policy area Ex-ante Impact Assessment
Keyword legal data processing | data-processing law | access to information | approximation of laws | application of EU law | area of freedom, security and justice | data protection

Summary In the framework of its consideration of the Commission’s proposal on the processing of personal data by Union institutions and bodies, the European Parliament’s Committee on Civil Liberties, Justice and Home Affairs requested an impact assessment of three specific aspects of that proposal. These aspects concerned: (1) the impact of the new model of governance and accountability of data protection on Union institutions and bodies; (2) the implication of this new model in terms of budget and human resources; and (3) the risks generated by the decentralised model in terms of consistency and uniform application of the Regulation within Union institutions and bodies. The study considers the short term implications of the new governance model with regard to increased workload (for both data controllers and data protection officers) and additional investments in terms of budget and human resources. It concludes that it will only be once the ‘initial period of application’ has been completed that it will be possible to reasonably assess the final impact of the new model of governance and accountability on Union institutions and bodies. As for decentralisation, it considers that the proposal appears to contain adequate safeguards to offset the risks in terms of consistency and uniform application of the Regulation.
Research for AGRI Committee - Young farmers - Policy implementation after the 2013 CAP reform

Publication type: Study
Date: 16-10-2017

External author: Czech University of Life Sciences Prague, Czech Republic: Lukáš Zagata, Jiří Hrabák, Michal Lošták, Mirosлавa Bavorová
Technology Centre of the Czech Academy of Science: Tomáš Ratinger
The James Hutton Institute, Scotland UK: Lee-Ann Sutherland, Annie McKee

Policy area: Budget | Ex-ante Impact Assessment | Evaluation of Law and Policy in Practice | Agriculture and Rural Development
Keyword: agricultural land | EU Member State | financial aid | reform of the CAP | EU programme | common agricultural policy | rural development | young farmer | agricultural labour force

Summary: This report provides information regarding the state of implementation of the current CAP young farmers' mechanism. The different implementation styles of the Members States are described and the currently implemented policy tools are evaluated. Based on the secondary analysis and case studies, several policy recommendations are formulated, aimed at improving the existing support scheme and assisting young farmers to deal with the major barriers to entering agriculture.

Financial Instruments: defining the rationale for triggering their use

Publication type: Study
Date: 16-10-2017

External author: Jorge Núñez Ferrer, Senior Research Fellow, CEPS
David Rinaldi, Associate Research Fellow, CEPS
Apostolos Thomadakis, ECMI Researcher, CEPS
Roberto Musmeci, Research Assistant, CEPS
Marlin Nesbit, Senior Fellow, IEEP
Kamila Paquel, Senior Policy Analyst, IEEP
Andrea Illes, Policy Analyst, IEEP
Katharina Ehrhart, Researcher, LSE Enterprise

Policy area: Budget | Ex-ante Impact Assessment | Budgetary Control
Keyword: implementation of the budget | financial management | State aid | fund (EU) | financial regulation | general budget (EU) | financial instrument

Summary: The use of financial instruments within the EU budget is becoming more and more common. The present study first revises key concepts in determining the use of those instruments, before providing an analysis of the functioning and consistency of the ex-ante assessments, which are required by regulation to help identify the rationale and scope for financial instruments. It offers recommendations to improve the ex-ante assessment process and on the use of these instruments across the EU.

Online and other distance sales of goods

Publication type: Study
Date: 14-07-2017

Policy area: Ex-ante Impact Assessment | Internal Market and Customs Union | Consumer Protection
Keyword: single market | electronic commerce | impact study | digital single market | information society | consumer protection | approximation of laws | impact of information technology | consumer goods | commercial contract | contract

Summary: This study was requested by the European Parliament’s Committee for Internal Market and Consumer Protection as part of the Parliament’s general commitment to improving the quality of EU legislation, and in particular in undertaking to carry out impact assessments of its own substantial amendments when it considers it appropriate and necessary for the legislative process. The aim of this ex-ante impact assessment is to evaluate two substantial amendments being proposed to the Commission proposal for a directive on certain aspects concerning contracts for the online and other distance sales of goods. The amendments would extend the scope of the proposed directive to any sale contract concluded between the consumer and the seller, and would repeal the Consumer Sales Directive. The findings of the study indicate that the harmonisation of rules across Member States and sales channels would reduce the fragmentation of the legal framework and enhance the clarity and transparency of applicable rules to the benefit of both consumers and businesses. Most importantly, one single regime for online and face-to-face transactions could contribute to increased consumers’ and traders’ awareness and confidence in purchasing/selling online and offline, domestically and across borders. There would be a general increase in consumer protection throughout the EU, with the exception of some Member States where consumers’ rights would be weakened. This could, however, translate into increased costs for businesses in relation to remedies provided to consumers. The importance of having a single regime for online and offline sales has been strongly supported by all stakeholders consulted for this study. Nonetheless, consumer and business organisations have different views with regard to the aspects of consumer protection under examination. Finding a balance between the interests of consumers and businesses remains, thus, crucial.
Controls of cash entering or leaving the European Union

Publication type: Briefing
Date: 21-06-2017

Policy area: Area of Freedom, Security and Justice | Ex-ante Impact Assessment | Economics and Monetary Issues

Keyword: impact study | customs inspection | money laundering | outflow of capital | disclosure of information | customs regulations | terrorism | exchange of information | customs formalities

Summary: The anonymity of cash transactions and the illegal nature of the problems identified in the IA bring about considerable challenges for the analysis, including a limited evidence base and trade-offs between the options to tackle the problems and their impact on several Union principles. The mostly qualitative analysis is generally logical and coherent, leading to a pertinent set of preferred options. For various reasons, however, it provides, very little quantification of costs and none of benefits, and focuses mainly on administrative burdens for competent authorities. To partly compensate for the lack of reliable data, despite apparent time constraints for the preparation of the evaluation and the IA – both conducted internally – the IA consistently indicates stakeholder views, which appear to support most of the preferred options of the IA, although they cannot be considered representative due to the small number of respondents.

Briefing: EN

(Re-)Designing the internal market for electricity

Publication type: Briefing
Date: 11-04-2017

Author: HUBERT DALLI
Policy area: Ex-ante Impact Assessment | Energy

Keyword: energy grid | security of supply | EU competition policy | single market | energy supply | impact study | energy cooperation | liberalisation of the market | electrical energy | drafting of EU law | electrical industry

Summary: The IA appears to present a good and comprehensive analysis to identify the problems in the status quo, define the objectives of EU action, delineate policy options that can fulfill those objectives, assess the impacts of those options, and choose the best options to address the identified problems. This process seems to be based on sound data and research. In the explanation of the objectives, however, the distinction between what the IA refers to as the sub-objectives and the operational objectives does not appear to be very clear, raising doubts as to whether the sequential process required in the better regulation guidelines has been followed. Finally, the IA's length and complexity somewhat limit its accessibility, although the sixteen page abstract added in response to the Regulatory Scrutiny Board's recommendation goes some way towards addressing this issue.

Briefing: DE, EN, FR

Respect for private life and protection of personal data in electronic communications

Publication type: Briefing
Date: 11-04-2017

Author: Vadim KONONENKO
Policy area: Area of Freedom, Security and Justice | Ex-ante Impact Assessment

Keyword: impact study | Internet | protection of privacy | regulation of telecommunications | drafting of EU law | electronic mail | personal data | data protection

Summary: Overall the IA report makes a good presentation of the Commission's impact assessment work for the legislative proposal. The IA draws on a vast amount of research and expertise in elaborating the policy options and linking them to the main problems. Also, the range of policy options appears comprehensive. However, a more thorough analysis of the social and fundamental rights impacts would have considerably strengthened the report. In particular, as confidentiality remains a sensitive issue in this field, the IA report could have gone into more depth on this issue, especially when comparing the options. In addition, more attention could have been dedicated to developing clearer monitoring and evaluation indicators.

Briefing: DE, EN, FR

Restriction of the use of certain hazardous substances in electrical and electronic equipment

Publication type: Briefing
Date: 04-04-2017

Author: STEFANO VETTORAZZI
Policy area: Environment | Ex-ante Impact Assessment | Industry

Keyword: impact study | electrical equipment | dangerous substance | machinery | market approval | hazardous waste | electronic equipment | waste recycling | electronic component | electronic waste | musical instrument

Summary: The IA defines in a clear way the problems and the objectives of the proposed initiative, and is based on extensive research conducted by external contractors. However, it omits to explain the sequential process and the underlying assumptions leading to the identification of the four problems analysed, mentioning only the supporting studies. Also, it contains some discrepancies with respect to the supporting studies in terms of terminology and recommendations which are not explained in the IA. A broad range of stakeholders provided valuable data and information that were used in the IA, even though only 40 (out of 300) provided comments and suggestions. The IA seems to make a reasonable case for the preferred options, which are reflected in the legislative proposal, intending to amend four articles of RoHS 2. However, one of these amendments has been proposed without a clear explanation being provided in the IA. The analysis of competitiveness of SMEs appears to be, in general, insufficiently developed or explained.

Briefing: DE, EN, FR
Recovery and resolution of central counterparties
Publication type: Briefing
Date: 22-03-2017
Author: Claudio COLLOVA
Policy area: Ex-ante Impact Assessment | Economics and Monetary Issues | Financial and Banking Issues
Keyword: impact study | financial solvency | financial transaction | company in difficulties | financial institution | financial legislation | financial services | financial instrument | financial intervention
Summary: This impact assessment builds a convincing case for action. It is mainly based on expert judgement by the Commission's departments and is backed up by relevant references, public consultation and coordination with international work-streams. The Commission states that the proposal, published in November 2016, is fully in line with the latest policy discussions and orientation by the Financial Stability Board and the G20, quoting a document from August 2016. Notwithstanding this, the impact assessment itself does not appear to have been fully updated since the summer of 2015. Therefore, some potentially important developments do not seem to be properly reflected in the IA. These include the recognition of non-EU central counterparties, the publication of new material, and the scenarios opened in the clearing world by the UK referendum of 23 June 2016.

Energy Efficiency
Publication type: Briefing
Date: 22-03-2017
Author: Vadim KONONENKO
Policy area: Environment | Ex-ante Impact Assessment | Energy
Keyword: impact study | consumer information | climate change policy | energy efficiency | EU Member State | energy consumption | energy use | energy saving
Summary: The Commission IA presents a comprehensive overview of options and likely impacts of the proposed legislation. It would have been stronger if all its parts, which in their earlier life were separate impact assessments, were linked in a better, cross-referential manner. Also, given the prominent role of SMEs in boosting energy efficiency measures, the report would have benefited from devoting more space and attention to the situation of energy service companies in the EU. Lastly, the emphasis on econometric analytical models may have led to a certain lack of qualitative analysis of policy measures which were stated as being needed to correct the lack of progress in the EU energy efficiency field.

Energy performance of buildings
Publication type: Briefing
Date: 28-02-2017
Author: Katharina EISELE
Policy area: Environment | Ex-ante Impact Assessment | Energy
Keyword: building | energy efficiency | EU financing | energy consumption | technological change | improvement of housing | impact study | social impact | competitiveness | reduction of gas emissions | innovation | environmental impact | energy saving
Summary: The IA appears to provide a thorough analysis of the current situation and of the likely impacts of the proposed options, based on sound and comprehensive research. The Commission explains the models used for the analysis and is open about the key assumptions. The IA relies largely on the wide stakeholder consultation activities carried out for the ex post evaluation of the EPBD (published on the same day as the IA). However, generally speaking, the information on stakeholders' views in the IA could have been more precise; the stakeholder support for each option is not readily apparent from the IA.

Revision of the calculation methodology of dumping
Publication type: Briefing
Date: 28-02-2017
Author: Alina Alexandra GEORGESCU
Policy area: Ex-ante Impact Assessment | International Trade
Keyword: impact study | World Trade Organisation | third country | originating product | import (EU) | dumping | countervailing charge | anti-dumping legislation | anti-subsidy proceeding | proposal (EU) | China
Summary: The IA appears to provide a well-researched explanation of the evidence base for the legislative proposal; it clearly explains the scale of the problem, illustrated by facts and figures giving a clear view of the international situation. However, a better, more coherent organisation of the data related to the problem definition, and a broader range of options, would have strengthened the IA. Option 3 is the only viable one to address all the objectives, although – as also indicated by stakeholders – its elements are only vaguely presented. The IA would have been more persuasive had it been clearer about the modification of the standard methodology. In particular, it would have benefited from a better explanation as to how it would work in practice, in order to allow the EU to continue to disregard domestic costs and prices of China and other NME countries, as this appears to be the most crucial element of the preferred option. The IA does not look at the impact on the economic performance of the EU sectors concerned, and remains unclear as to how EU SMEs would be affected. The stakeholder consultation covered a broad range of stakeholders and the collected views are presented systematically throughout the IA. However, it seems that stakeholders were not given the opportunity to comment in detail on the preferred option 3. The consultation seems to have happened at an early stage in the drafting process of the IA, which could explain the vague questions asked and the shortened period of consultation of 10 weeks instead of 12.
Governance of the Energy Union

Publication type: Briefing
Date: 28-02-2017
Author: Vadim KONONENKO

Policy area: Environment | Ex-ante Impact Assessment | Energy | Industry
Keyword: single market | energy cooperation | energy diversification | energy efficiency | international agreement | renewable energy | UNO | impact study | energy research | greenhouse gas | reduction of gas emissions | adaptation to climate change | proposal (EU)

Summary: Overall, the IA presents a comprehensive description and explanation of the problem, and options to resolve it by means of an EU-wide legislative action integrating planning, reporting and monitoring requirements of a range of existing legislation into a single regulation. The lack of quantitative evidence, and the fact that the economic, social and environmental impacts are not assessed to an equal degree, is perhaps understandable, given the nature of the action proposed, which is focused strictly on governance aspects of the energy union, i.e. the obligations of Member States and the monitoring activities of the Commission.

Briefing DE, EN, FR

Control of exports, transfer, brokering, technical assistance and transit of dual-use items

Publication type: Briefing
Date: 25-01-2017
Author: Alina Alexandra GEORGESCU

Policy area: Ex-ante Impact Assessment | International Trade | Security and Defence
Keyword: technical cooperation | impact study | export monitoring | trade restriction | transit | customs regulations | export (EU) | dual-use good | intra-EU trade

Summary: The IA is well structured, clear and compact. Overall, it appears to provide well-researched explanation of the evidence base of the legislative proposal. The problem definition is illustrated by facts and figures which give a clear view of international security threats. The outcome of the stakeholder consultation is clearly presented and has been integrated into the analysis and the assessment of the different options, with a transparent presentation of stakeholders' views throughout. Nevertheless, the IA has a number of shortcomings. A clearer explanation of the links between the problems and their drivers, the objectives of the legislative proposal and the options considered, would have strengthened the IA. The report would have been more persuasive had it been clearer about the methodological approach to the comparison of the options. Even if the Commission made efforts to collect relevant data in preparation of the IA, the analysis remains essentially qualitative. Finally, the IA remains vague about the overall impact of the proposal on SMEs and competitiveness.

Briefing DE, EN, FR

The European Electronic Communications Code and the Body of European Regulators for Electronic Communication (BEREC)

Publication type: Briefing
Date: 23-01-2017
Author: Vadim KONONENKO

Policy area: Ex-ante Impact Assessment | Internal Market and Customs Union | Industry
Keyword: impact study | transmission network | regulation of telecommunications | information technology | EU office or agency | universal service | operation of the Institutions | radio telecommunications | trans-European network

Summary: Overall, the IA presents a comprehensive and well-researched explanation of the evidence base of the legislative proposals. However, the nature of the proposals (one of them being a recast of four existing directives) has posed an obvious challenge in terms of keeping the report concise and readable. The IA clearly exceeds the length recommended in the better regulation guidelines. The report presents stakeholder views well, although the consultation itself focused more on the review process in general than on the specific options for future policy. Finally, the overly general presentation of monitoring instruments represents a significant shortcoming of the report, especially given the importance of effective monitoring mechanisms in assessing the implementation of legislation.

Briefing DE, EN, FR

A European Union certification system for aviation security screening equipment: Initial Appraisal of a European Commission Impact Assessment

Publication type: Briefing
Date: 21-12-2016
Author: PAUL JONAS HELMICH | HUBERT DALLI

Policy area: Ex-ante Impact Assessment | Transport
Keyword: impact study | transmission network | regulation of telecommunications | information technology | EU office or agency | universal service | operation of the Institutions | radio telecommunications | trans-European network

Summary: The IA appears to present a good argument on the need to address fragmentation of the EU market in aviation security screening equipment. In this respect, the JRC study and the SER3CO study seem to provide a solid underpinning on the need for action. There appears to be some lack of clarity in regard to the setting of operational objectives, while it might appear that the range of viable alternative options is somewhat limited.

Briefing DE, EN, FR
Modernisation of EU copyright rules: Initial Appraisal of a European Commission Impact Assessment

Date: 07-12-2016
Author: Katharina EISELE | NIELS TACK
Policy area: Ex-ante Impact Assessment | Intellectual Property Law
Summary: The IA clearly defines the underlying problems and the objectives of the proposed initiatives. It relies on various recent external studies, reviews and evaluations. The Commission consulted widely and the IA appears to have analysed a broad range of options and their impacts on all relevant stakeholders. However, the IA, which is very dense, is based on limited quantitative data, which the Commission openly acknowledged, it would also perhaps have benefited from a more detailed assessment of social impacts and impacts on fundamental rights. Moreover, with regard to the third general objective of achieving a well-functioning marketplace for copyright, it would seem that some specific issues were not addressed: concerning the use of right holders’ content by online services, it appears the Commission changed its preferred option following the issuing of the RSB opinion, since a negotiation obligation is no longer included in the final IA. The IA could also have given more guidance on the coherence of the proposed acts with the E-Commerce Directive. Finally, concerning rights in (press) publications, it would have been useful if the IA had provided more thorough reasoning regarding the new ancillary right.

Effort sharing: greenhouse gas emission reductions by Member States (2021-2030)

Date: 14-12-2016
Author: Katharina EISELE
Policy area: Environment | Ex-ante Impact Assessment | Transport | Energy | Agriculture and Rural Development | Industry
Summary: Overall, the IA (91 pages in all) seems to provide a sound justification for the amendment of existing rules backed by comprehensive research. The Commission admits that its analysis is based on a number of key assumptions upon which the different analytical models and scenarios are based. However, the range of options appears at times rather limited. This is the case, for example, with regard to the integration of LULUCF credits: although the baseline option is listed, it is clear that this option is not the desired one taking into account the guidance of the European Council. Likewise, the section entitled ‘policy options for setting the starting point for target trajectories’, in section 4 of the IA, appears odd, since it in fact only present one option, namely, using the 2016-2018 emission as the starting point. Finally, it would have been useful if the IA had provided a link to the supporting study.

European venture capital and social entrepreneurship funds

Date: 07-12-2016
Author: Claudio COLLOVA
Policy area: Ex-ante Impact Assessment | Economics and Monetary Issues | Financial and Banking Issues
Summary: This initial appraisal concludes that the Commission's impact assessment is based on sound knowledge and on relevant data relating to the investment funds industry. However, the evidence regarding specifically the two fund frameworks under review - European venture capital funds and European social entrepreneurship funds - is, by the IA's own admission, limited. The IA and the review attached to it do not cover all the points listed in the review clauses of the two regulations, for instance the geographical and sectoral distribution of investments undertaken specifically by EuVECA and EuSEF funds. At first sight, it appears that different conclusions could be drawn using the same data provided in the IA, for instance regarding the low take-up and lower than expected performance of the funds. The range of options analysed in depth seems rather narrow. Finally, the purpose of the existing regulations is to enhance the growth of small and medium-size enterprises and of social businesses. The IA states that it is too early to judge whether these objectives have been achieved and excludes this issue from the scope of the analysis. Even so, an initial analysis of the public consultations undertaken shows that, despite the absence of more concrete evidence, a greater effort could have been made to integrate the voice of non-financial businesses, including SMEs and social enterprises, within the IA.

Revision of the Instrument contributing to Stability and Peace

Date: 07-12-2016
Author: Alina Alexandra GEORGESCU
Policy area: Ex-ante Impact Assessment | Development and Humanitarian Aid | Security and Defence
Summary: The impact assessment report appears to make a genuine effort to explain the problem in need of action, but it does not make an entirely convincing case for the need to act now. Nor does it refer to sound and comprehensive research and analysis in order to sufficiently substantiate the scale of the problem and its root causes. Options proposed, aside from the preferred one, do not appear to be realistic ones. There is no analysis of the advantages and disadvantages of the available solutions and no real comparison of the likely impact of the options. The combination of these weaknesses undermines the credibility of the IA report as a whole.
Establishing a multiannual plan for demersal fisheries in the North Sea

**Publication type**: Briefing  
**Date**: 09-11-2016  
**Author**: Vadim KONONENKO  
**Policy area**: Ex-ante Impact Assessment | Fisheries  

**Summary**: The overall impression is that this IA would have benefited from a more thorough and up-to-date analysis. The IA report appears to some extent to be less focused on deliberating on the specific parameters of the multiannual plan than on discussing various more general policy issues around the North Sea fisheries. The analysis and comparison of options appears to be very limited as only one viable option is presented. The choice in favour of this option seems pre-determined since the establishment of a multiannual plan is already a priority under the Basic Regulation. The elaboration of the sub-options into fully fledged options would perhaps have provided more depth to the analysis.

Briefing DE, EN, FR

---

**Judicial rules and cooperation in family matters (recast of Brussels IIa Regulation)**

**Publication type**: Briefing  
**Date**: 07-11-2016  
**Author**: HUBERT DALLI  
**Policy area**: Ex-ante Impact Assessment | EU Law: Legal System and Acts  

**Summary**: The unusual approach of splitting the IA into separate headings helps to keep track of the complexity of the discussion, which involves intricate legal notions and arguments. Overall, the IA seems to provide a good qualitative analysis. The quantitative analysis seems to have been limited by the lack of available data, and this is especially felt in the assessment of the impacts that the proposed options may have. The IA appears to be very attentive to the concern about the political feasibility of the preferred options and strives to strike a balance between what is necessary to address the problematic issues identified in the evaluation of the Regulation and what is likely to garner the necessary unanimity within the Council.

Briefing DE, EN, FR

---

**The New EU Blue Card Directive**

**Publication type**: Briefing  
**Date**: 29-09-2016  
**Author**: Katharina EISELE  
**Policy area**: Area of Freedom, Security and Justice | Ex-ante Impact Assessment  

**Keyword**: third country | labour law | skilled worker | international relations | migrant worker | impact study | internal border of the EU | EU migration policy | labour mobility | occupational migration | brain drain | work permit | foreign national  

**Summary**: The Impact Assessment makes a convincing case for the need for action to overhaul the current Blue Card Directive. The IA is substantiated by sound and comprehensive research (in the form of 16 annexes) and external expertise, as well as wide consultation taking international immigration systems aiming to attract highly skilled workers into account. Although not all of the options presented appear viable, the European Commission makes a genuine attempt to identify solutions to the problem. The limited data, about which the Commission is transparent, suggests that the quantitative evidence used in the IA, in particular regarding the economic impacts, might merit further exploration. Finally, it would have been useful if the IA had provided a link to the external IA study that underpins the Commission’s IA.

Briefing DE, EN, FR

---

**Audiovisual Media Services**

**Publication type**: Briefing  
**Date**: 23-09-2016  
**Author**: Laura ZANDERSONE  
**Policy area**: Culture | Ex-ante Impact Assessment  

**Summary**: The background information, studies, and evidence base used in drafting the IA are vast and comprehensive; however, a lot of valuable information is added in the annexes, whereas it could have been more usefully included in the development of options offered and in the assessment of their impacts accordingly. The IA presents the problem and its drivers in a clear and understandable way, with numerous examples and statistics to illustrate the current situation. The objectives are also very clear and in line with the problems identified. However, the IA could have examined a broader range of options to choose from, notably as regards the minor protection issue, as this is a crucial problem that is likely to worsen considering the growing popularity of video-sharing platforms among minors, as stated in the IA. The overall coherence of the IA suffers from some inaccuracy and inconsistencies, which, at times, makes it difficult to gauge the impacts of the proposal.

Briefing DE, EN, FR
**Geo-blocking in the Digital Single Market**

**Publication type**: Briefing  
**Date**: 21-09-2016  
**Author**: HUBERT DALLI  
**Policy area**: Ex-ante Impact Assessment | Internal Market and Customs Union  
**Summary**: The IA clearly defines the problem and appears to use up-to-date data and research throughout, especially in the problem definition and in establishing the scope of the impact assessment. At times, however, the presentation of the policy options lacks clarity. The IA seems to provide sound justification for the proposal, but appears not to fully address the RSB’s recommendation in its first opinion for a better description of the potential interaction of all the legislation that would target justified geo-blocking. This is something which might merit attention, particularly given that many of the parallel initiatives concerned are currently going through Parliament.

**Briefing** DE, EN, FR

---

**Wholesale Roaming Markets**

**Publication type**: Briefing  
**Date**: 12-09-2016  
**Author**: Vadim KONONENKO  
**Policy area**: Ex-ante Impact Assessment | Industry  
**Summary**: The IA may well have been prepared in some haste, given that the RLAH regime is supposed to be introduced in less than a year. However, overall, it is of reasonable quality and presents a good overview and comparison of policy measures. One weakness of the analysis is that it does not go beyond the main objective, namely to enable cost recovery for the operators after the abolition of roaming charges. While this is understandable, given that the proposal is an amendment of the existing legislation, the final analysis could usefully have been broadened to include other possible economic, social and environmental impacts. This would have allowed the IA to better match the analysis with the complexity of the problem highlighted in the introduction.

**Briefing** DE, EN, FR

---

**Publishing corporate tax information Country-by-country reporting for multinational enterprise groups**

**Publication type**: Briefing  
**Date**: 16-08-2016  
**Author**: Claudio COLLOVA  
**Policy area**: Ex-ante Impact Assessment | Economics and Monetary Issues | Financial and Banking Issues  
**Keyword**: single market | corporation tax | tax evasion | drafting of EU law | European tax cooperation | exchange of information | tax law | tax inspection | impact study | principle of subsidiarity | multinational enterprise | tax avoidance | principle of proportionality  
**Summary**: The Commission’s Better Regulation Guidelines recall that an impact assessment ‘should be comprehensive, proportionate, evidence-based, open to stakeholder's view, unbiased, prepared collectively with relevant Commission services, embedded in the policy cycle, transparent and of a high quality’ (Guidelines, p. 20). After an initial appraisal, it can be concluded that this IA seems to fit a large extent this description and could be considered in many respects as an example of good practice, compared to other Commission IAs in the financial field. The Better Regulation Guidelines have been to a large extent respected. The IA seems to have considered the recommendations made in relevant Parliament resolutions, such as the one of 16 December 2015 on ‘bringing transparency, coordination and convergence to corporate tax policies in the Union’, although, in some cases, the Commission has drawn different conclusions. One of the weaknesses is that the IA does not appear to present the likely impacts of some changes introduced in the proposal and acknowledged in the Explanatory Memorandum, such as the EU list of tax havens. Overall, this IA appears to contribute effectively to informing the decision-making process.

**Briefing** DE, EN, FR

---

**Cooperation on the enforcement of consumer protection laws**

**Publication type**: Briefing  
**Date**: 26-07-2016  
**Author**: HUBERT DALLI  
**Policy area**: Ex-ante Impact Assessment | Consumer Protection  
**Summary**: The IA appears to make a sound exploration of the existing problems. The link between the problems and the objectives could possibly have been better established, but the objectives and the options appear to be relevant to the problems identified. The argumentation in the IA seems reasonable and realistic and in certain aspects (in particular with regard to delay and cost reduction and the analyses on non-compliance rates and related consumer detriment) the analysis appears to be thorough and backed up by sound data. One might argue, however, that in other aspects (in particular in aspects related to the economy and competitiveness) a more profound analysis, with a better explanation of the assumptions made and more data to back up the arguments made, would have been better able to support the policy decisions taken in the proposal. Please click here for the full publication in PDF format. Available language versions:

**Briefing** DE, EN, FR
**Protection of workers from exposure to carcinogens or mutagens**

**Publication type** Briefing  
**Date** 18-07-2016  
**Author** Alina Alexandra GEORGESCU  
**Policy area** Ex-ante Impact Assessment | Employment | Public Health  
**Keyword** impact study | carcinogenic substance | industrial hazard | dangerous substance | toxic substance | working conditions | hazardous waste | occupational health  
**Summary** Overall, the Commission appears to have provided sound reasoning and justification for the initiative. The methodology used to compare the scope of impacts is well-developed, but the proposed range of options limits the scope of the analysis. As Option 3 is barely considered, and Option 4 does not seem to be consistent with the objectives, the added value of these options is not evident. Moreover, both the IA and the Explanatory Memorandum of the proposal are not explicit about the preferred option. More information on the consultation with SCOEL and ACSH would have been welcomed in order to understand the way in which the OELs were set. Finally, it is not entirely clear why the Commission has come forward with this proposal before the ex-post evaluation of the OSH Framework undertaken within the remit of REFIT has been completed. Indeed, including the results of the ex-post evaluation in the IA might have strengthened the Commission’s evidence base as well as further clarified the monitoring and evaluation arrangements and the interaction between the various pieces of legislation under the OSH Framework.

**Briefing** DE, EN, FR

---

**Digital Single Market: Cross-border parcel delivery services**

**Publication type** Briefing  
**Date** 18-07-2016  
**Author** Vadim KONONENKO  
**Policy area** Ex-ante Impact Assessment | Transport  
**Summary** The Commission has provided sound reasoning and justification for the initiative, including broad and up-to-date use of research and evidence. However, the overall presentation suffers from an unclear definition of the problem and the drivers. The analysis of impacts is extremely limited and very general, a point which was also made in the RSB’s opinion. This limited assessment of impacts remains one of the most problematic features of the IA.

**Briefing** DE, EN, FR

---

**Legal aid: Impact assessment of substantial amendments**

**Publication type** Study  
**Date** 18-07-2016  
**Policy area** Area of Freedom, Security and Justice | Ex-ante Impact Assessment  
**Keyword** impact study | European treaties | European arrest warrant | legal aid | EU Member State | legislative drafting | European Convention on Human Rights | EU Charter of Fundamental Rights | amendment  
**Summary** This study was requested by the European Parliament's Committee for Civil Liberties, Justice and Home Affairs (LIBE) as part of the Parliament's general commitment to improving the quality of EU legislation, and in particular its undertaking to carry out impact assessments of its own substantial amendments when it considers it appropriate and necessary for the legislative process. The aim of this ex-ante impact assessment is to evaluate seven substantial amendments to the Commission’s proposal for a directive on provisional legal aid for suspects or accused persons deprived of liberty and legal aid in European Arrest Warrant proceedings, adopted by the LIBE Committee in its report of May 2015. The study concludes that the adoption of these amendments would have a generally positive impact on the fundamental rights of suspects and accused persons. The right to legal aid, and thus, equal access to justice, would be further enhanced. In particular, the ‘practical’ enjoyment of the right of access to a lawyer (Directive 2013/48/EU) by indigent people would be ensured. Overall, the justice systems of the Member States investigated in this study would benefit from the adoption of the legal aid guarantees provided by the amendments. Evidence shows that a well-functioning legal aid system can streamline the proceedings, reduce the length of time suspects are held in police stations/detention centres, and limit the number of wrongful convictions, prison overcrowding and congestion in courts. The amendments would, however, imply certain additional cost burdens for Member States’ administrations. Please click here for the full publication in PDF format.

**Study** EN
Fisheries technical measures

Publication type: Briefing  
Date: 06-06-2016  
Author: Laura ZANDERSONE

Policy area: Ex-ante Impact Assessment | Fisheries

Keyword: simplification of legislation | impact study | catch of fish | drafting of EU law | common fisheries policy | fishing regulations

Summary: The main strengths of the IA are its use of wide-ranging and apparently sound information from the external studies, meetings and consultations, as well as the cogent presentation of the stakeholder views and the results of the public consultation throughout the report. The IA appears to be well-illustrated by examples; however, they do not always facilitate a better understanding of the current issues due to their sometimes inconsistent and rather confusing presentation. The analysis of the various impacts on stakeholders and fishing regions is rather weak. In particular, the analysis of impacts on SMEs is brief, qualitative and very general, and might have merited a more in-depth approach. It is unclear why Options 1 and 2.1 were retained for further analysis since it is claimed that they would only have a limited contribution to solving the problems of enforcement of the technical measures. A more detailed analysis is provided for Option 2, which is the preferred option, in comparison to the other options, which might suggest that the apparent choice of options is not as broad as it may appear. Finally, the IA could have given greater insight into how the remaining technical measures regulations and the Commission acts would be affected in practice as a result of this proposal.

Briefing: DE, EN, FR

Recognition of Professional Qualifications in Inland Navigation

Publication type: Briefing  
Date: 02-06-2016  
Author: Samuele DOSSI

Policy area: Ex-ante Impact Assessment | Internal Market and Customs Union

Keyword: impact study | crew | drafting of EU law | recognition of vocational training qualifications | inland waterway transport | Central Commission for Navigation on the Rhine | professional qualifications

Summary: The IA clearly identifies and defines the problems, demonstrating that EU action is necessary to address them. The analysis emphasises that, in this case, EU action is further justified by the limited provisions offered by the existing EU legislative framework and potential offered by the IWT sector towards the objectives of the Single Market. Although the legislative proposal is limited to aspects of labour mobility, the analysis presents a wide array of policy measures that can be adopted to tackle the main problem drivers as presented in the impact assessment, and provides an explanation for the measures that were discarded prior to the analysis. Some criticism can be made concerning the weak quantification of impacts. This is recognised through the analysis, and justified on the basis of the high regional diversification of the sector concerned by the EU action, and the difficulties linked to the monitoring and data collection processes.

Briefing: DE, EN, FR

Revision of the Posting of Workers Directive

Publication type: Briefing  
Date: 02-06-2016  
Author: Katharina EISELE

Policy area: Ex-ante Impact Assessment | Employment

Keyword: impact study | minimum pay | social dumping | temporary employment | restriction on competition | drafting of EU law | remuneration of work | wage cost | social security | subcontracting | EC Directive

Summary: Overall, the Commission has attempted to provide information as clearly and transparently as possible in the IA based on external expertise and wide consultation. Nonetheless, the limited availability of data suggests that the qualitative and quantitative evidence used to support the problem definition and the assessment of impacts might require further exploration. Moreover, the IA would have benefited from a clearer explanation on the interaction with, and impact on, the Enforcement Directive. Finally, the IA could have better explained why EU action is necessary to solve the new problems and why Option 1 was ruled out despite broad stakeholder support.

Briefing: DE, EN, FR
The Establishment of an EU Entry/Exit System

Publication type: Briefing  
Date: 23-05-2016  
Author: HUBERT DALLI

Policy area: Area of Freedom, Security and Justice | Ex-ante Impact Assessment

Keyword: visa policy | simplification of legislation | border control | impact study | Schengen Information System | EU migration policy | immigration | migratory movement | European Commission | illegal migration | external border of the EU | proposal (EU)

Summary: The impression is that the legislative scrutiny of the original 2013 package and the unusual opportunity for the proposals to be backed by, not one, but by two impact assessment exercises, have resulted in proposals that are very robustly evidence-based. The co-legislators’ input in the examination of the 2013 Package allowed the second IA process to be more focused and more aware of potential practical and political pitfalls. To get to the preferred option, which is ultimately reflected in the proposals, the IA appears to follow a detailed, organised and systematic analysis based on a combination of sound qualitative and quantitative data and research. In particular, the proof of concept exercise provides a wealth of technical and field information that contributes substantial added value to the support of the decision-making process.

Briefing DE, EN, FR

Use of radio frequencies in the Union

Publication type: Briefing  
Date: 21-04-2016  
Author: HUBERT DALLI

Policy area: Ex-ante Impact Assessment | Industry

Keyword: impact study | transmission network | regulation of telecommunications | waveband | satellite communications | radio equipment | radio telecommunications | harmonisation of standards | European standard

Summary: The IA links the problems with the objectives, with the options proposed and with the suggested preferred option, and lays down what seem to be appropriate indicators to evaluate the attainment of those objectives. In the discussion of the policy options, it would appear that option 4 is not really a viable alternative. In the analysis of the impacts of the options the relevant section does not appear to have a methodical structure, and it could arguably have benefited from stronger evidence on the absence of an environmental impact. In relation to the other categories of impact, it appears that a sufficiently robust assessment is made vis-à-vis the retained options. With regard to stakeholder consultation, although it would appear that interested parties were given good opportunities to express their views, reservations about the formulation of the public questionnaire, and a perhaps ambiguous interpretation of the answers, might weaken the credibility of the exercise. Overall, the IA nevertheless offers a combination of qualitative and quantitative analysis that would appear to provide a solid basis for the policy choices made in the proposal.

Briefing DE, EN, FR

Security of gas supply

Publication type: Briefing  
Date: 21-04-2016  
Author: Vadim KONONENKO

Policy area: Environment | Ex-ante Impact Assessment | Energy

Keyword: security of supply | energy supply | impact study | energy cooperation | natural gas | drafting of EU law | energy law

Summary: The IA report concentrates on the very complex problem of securing access to gas by each Member State in case of disruption of supply. In this regard, the IA builds a case in favour of common EU action and of improvement of the existing regulation to that end. The IA could have provided more background information on how Member States are grouped into the seven regions under the preferred option and how this is linked to the existing patterns of cooperation. It could also have deepened the scope to devote more attention to the significance of environmental impacts. Finally, the section on monitoring and evaluation could have been made a lot stronger if key monitoring mechanisms had been explained more clearly.

Briefing DE, EN, FR

Intergovernmental agreements in the field of energy

Publication type: Briefing  
Date: 21-04-2016  
Author: Vadim KONONENKO


Keyword: single market | energy supply | impact study | energy cooperation | bilateral agreement | drafting of EU law | application of EU law | energy law | exchange of information

Summary: Overall, the IA report is of sound quality and provides a wealth of background analysis, especially the evaluation report included in Annex 1. However, the IA does suffer from several weaknesses. Most importantly, the limited representativeness of stakeholders in the public consultation and the almost exclusive reliance on a qualitative and largely descriptive evaluation, are aspects which might have deserved further attention.

Briefing DE, EN, FR
Motor vehicles: New approval and market surveillance rules - Initial Appraisal of a European Commission Impact Assessment

Publication type: Briefing
Date: 15-04-2016
Author: Claudio COLLOVA
Policy area: Environment | Ex-ante Impact Assessment | Transport | Internal Market and Customs Union
Keyword: impact study | approval | environmental standard | motor vehicle pollution | motor car | drafting of EU law | EU Member State | atmospheric pollutant | motor vehicle industry | market supervision

Summary: This briefing seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying its proposal on the approval and market surveillance of motor vehicles and their trailers, adopted on 27 January 2016 and referred to Parliament's Committee on the Internal Market and Consumer Protection (IMCO). This IA is the result of a process of analysis and consultation that started in 2010. It accompanies a proposal which the Commission presented rapidly after the Volkswagen case and in response to the calls made by Parliament in its resolution of October 2015. Some useful information can be found in the IA; however, even bearing in mind that impact assessments should not unduly delay the legislative process, an initial appraisal of its quality would suggest that this IA is not presented in a way that facilitates consideration by the co-legislators. The decision to publish the IA in two parts does not help overall comprehension, despite an honest attempt to show the links between the two. The problem definition devotes limited attention to the social and environmental consequences. The framing of the options makes it difficult to distinguish between essential and non-essential elements. Moreover, by the Commission's own admission, the monetisation of benefits is not sufficiently robust and gives an impression of certainty to estimates which are in fact surrounded by a high degree of uncertainty. All of these elements compromise some extent the quality of the IA. Finally, the internal quality assurance procedures do not appear to be fully in line with BR principles, in that this IA is accompanied only by the original 2014 opinion of the IA Board, which corresponds to the measures planned at that time, without any update covering the additional material provided later in part 2 of the IA.

Sustainable management of external fishing fleets: Initial Appraisal of a European Commission Impact Assessment

Publication type: Briefing
Date: 15-04-2016
Author: Alina Alexandra GEORGESCU
Policy area: Environment | Ex-ante Impact Assessment | Fisheries
Keyword: impact study | third country | ship's flag | fishing fleet | law of the sea | drafting of EU law | fishing agreement | EU waters | fishery management | common fisheries policy | fishing regulations

Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying its proposal on the sustainable management of external fishing fleets, repealing Council Regulation (EC) 1006/2008. The proposal, adopted on 10 December 2015, was referred to the Parliament's Committee on Fisheries. Overall, the impression is that the IA has made a genuine attempt to articulate what it perceives to be the problems necessitating action and to define the objectives of the initiative. The outcome of the stakeholder consultation, albeit rather limited, is clearly presented and appears to have been integrated into the analysis with a transparent presentation of the stakeholders' views throughout. Nevertheless, the IA has a number of shortcomings. The problem definition lacks the hard evidence required to be entirely convincing. The assessment of impacts is largely qualitative and is focused on benefits with hardly any reference to potential costs. The report would have been more persuasive had it provided stronger arguments and clearer quantitative evidence to prove that the expected benefits outweigh the costs. Generally, the information could have been better structured throughout and a more solid analysis of the compared options would have strengthened the IA.

Regulation on Mercury Aligning EU legislation with the Minamata Convention: Initial Appraisal of a European Commission Impact Assessment

Publication type: Briefing
Date: 14-04-2016
Author: Samuele DOSSI
Policy area: Environment | Ex-ante Impact Assessment
Keyword: impact study | pollution control measures | economic consequence | UN convention | ratification of an agreement | drafting of EU law | mercury | import restriction | prevention of pollution | environmental impact | export restriction | metal pollution

Summary: This note provides an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the above proposal which was adopted on 2 February 2016 and has been referred to Parliament's Committee on Environment, Public Health and Food Safety. The IA clearly identifies and defines the problems, demonstrating that EU action is necessary to address them, within the existing regulatory framework. The analysis emphasises that in this case EU action is further justified by the external competence of the EU and its legal right to act in the context of an international agreement. The analysis of options mainly focuses on the alternatives within the 'ratification' scenario, whereas less prominence is given to the assessment of impacts under the hypothesis of 'non EU action', which is an option clearly ruled out from the outset. Stakeholders have been consulted on two main occasions (workshop and public consultation) and the IA reports extensively on the results of that consultation process. However, most of the preferred options identified in the IA – and which feature in the Commission's legislative proposal - differ from the opinion expressed by the relative majority of stakeholders who responded to the questionnaire used for the public consultation.
**Aviation strategy — Remotely Piloted Aircraft Systems: Initial Appraisal of a European Commission Impact Assessment**

**Publication type**: Briefing  
**Date**: 14-04-2016  
**Author**: Laura ZANDERSONE  
**Policy area**: Ex-ante Impact Assessment | Transport  
**Keyword**: single market | impact study | approval | noise | protection of privacy | product safety | drafting of EU law | civil aviation | drone | air safety | data protection  
**Summary**: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment on Safe Development of Drone Operations. The main strengths of the IA are its solid information base, including the three supporting studies, as well as the presentation of the results of the public consultation throughout, and the examination of options against the proportionality criterion according to the new Better Regulation guidelines. However, the range of options considered appears to be rather limited, and descriptions are so general that it is very difficult to assess and compare them: for example, the criteria for categorising drone risks, and the question of how the certificates will be issued and by whom, are not explained at all. The IA reiterates throughout that several issues, such as drone risk categorisation, or factors defining an operation-centric approach to regulating drones, will be topics for new impact assessments accompanying future delegated acts. The absence of some more insight concerning the likely content of the measures to be adopted through delegated acts or for the use of such delegated acts is regrettable. Nevertheless, the categorisation of risks (what is a high or low risk operation) could have been explained in more detail, as not every aspect of drone rules is likely to depend only on technological development. A better illustrated and explained problem description, as well as more detailed descriptions of the policy options, would have contributed to a better and clearer understanding of the impacts of the new proposal, especially for a reader who may not be familiar with existing civil aviation safety rules.

**Accessibility requirements for products and services - The European Accessibility Act: Initial Appraisal of a European Commission Impact Assessment**

**Publication type**: Briefing  
**Date**: 12-04-2016  
**Author**: Alexia MANIAKI-GRIVA  
**Policy area**: Ex-ante Impact Assessment | Social Policy | Internal Market and Customs Union  
**Keyword**: single market | impact study | public contract | UN convention | administrative formalities | drafting of EU law | free movement of goods | harmonisation of standards | facilities for the disabled  
**Summary**: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the above proposal, submitted on 12 December 2015 and referred to Parliament's Committee on Internal Market and Consumer Protection. While considerable effort has clearly been put into preparing this report and to providing information in a transparent manner, the information in a transparent manner, the information and level of detail do not always support clear analysis of the problem definition and clear explanation of the methodology. Although the Commission consulted widely on the issue of accessibility and made use of external expertise, the data used appears rather old. Moreover, the views of disabled citizens, who are meant to be the major end-beneficiaries of the proposal, are not explicitly explained in more detail, as not every aspect of drone rules is likely to depend only on technological development. A more detailed exploration of social considerations to counterbalance the largely economic analysis would have been welcome, despite the internal market focus of this proposal. Please click here for the full publication in PDF format.


**Publication type**: Briefing  
**Date**: 17-03-2016  
**Author**: HUBERT DALLI  
**Policy area**: Area of Freedom, Security and Justice | Ex-ante Impact Assessment  
**Keyword**: impact study | disclosure of information | judicial cooperation in criminal matters in the EU | administrative formalities | drafting of EU law | information system | exchange of information | foreign national | criminal record  
**Summary**: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the Commission proposal on the European Criminal Records Information System (ECRIS) as an electronic system allowing Member States to exchange information on previous convictions against an individual by criminal courts in the European Union (EU). It is based on the principle that each Member State keeps a record of all convictions against its nationals, including those given in other Member States. The exchange of information is intended to be used in new criminal proceedings against that person, but national laws can widen the scope for such exchange of information for other purposes. The IA provides logical qualitative analysis linking the problem, its underlying drivers, the objectives and the policy options to address it. The qualitative analysis is reasonable, makes concrete arguments and is substantiated with up-to-date statistical data, although one might question the decision not to hold the mandatory 12 week open public consultation. In the discussion of the policy options, it would appear that only options 3 and 4 were actually considered as viable alternatives. In its analysis of the costs, the IA draws considerably on the Kurt Salmon report, which provides a convincing evaluation of options 3 and 4 with regard to substantive compliance costs. Where the IA goes beyond the data and arguments provided in the Kurt Salmon report, however, there are instances where the assessment appears less clear. With regard to the shift in preference from the voluntary use of fingerprints for the identification of TCN (favoured as a preferred sub-option in the IA) to the mandatory use of fingerprints (the sub-option chosen in the proposal), one possibility may be that the weighting of the arguments for and against the different sub-options might have changed prior to adoption of the proposal due to the particularly volatile security situation in the EU.

**Briefing**: DE, EN, FR
Cross-border portability of online content services in the internal market: Initial Appraisal of a European Commission Impact Assessment

Publication type: Briefing
Date: 17-03-2016
Author: Katharina EISELE
Policy area: Ex-ante Impact Assessment | Internal Market and Customs Union
Keyword: programmes industry | single market | electronic commerce | impact study | freedom to provide services | audiovisual industry | drafting of EU law | cross-frontier data flow | free movement of programmes | copyright
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the above proposal, adopted on 9 December 2015. This proposal is one of the first legislative initiatives proposed under the umbrella of the Digital Single Market (DSM) Strategy. The DSM Strategy is in itself one of the ten political priorities of the Juncker Commission. The portability proposal aims to contribute to the key objectives of the DSM allowing for better online access to digital goods and services across the EU Member States when travelling. Further legislative proposals in the field of copyright are expected in 2016. Overall, the impression is that this IA has made a reasonable attempt to analyse the current situation, substantiating the need for EU action to solve the issue. The IA draws upon a wide range of research from different sources and disciplines, both external and internal, and the stakeholder consultation appears to be broad. However, the objective of the present initiative (to ensure cross-border portability) is formulated in such a way that it can in fact only conceivably be achieved by a legislative solution that prescribes portability on a mandatory basis (meaning Option 3, which is the Commission's preferred option). This could cast some doubt as to whether the alternatives presented were really considered as viable options. Also, some of the assumptions upon which the IA is based might merit some further examination. For example, this might be the case concerning the current and potential future consumer demand for portability based on Eurobarometer data. Finally, the IA could perhaps have been clearer from the start that the real issue at hand concerns almost exclusively limited portability of online content services in the AV sector and sport premium content services, but that for reasons of legal certainty, all sectors are technically covered by the initiative (IA, p. 21).


Publication type: Briefing
Date: 25-02-2016
Author: Claudio COLLOVA
Policy area: Ex-ante Impact Assessment | Economics and Monetary Issues | Financial and Banking Issues
Keyword: simplification of legislation | impact study | consumer information | issue of securities | administrative formalities | drafting of EU law | investment protection | financial legislation | corporate finance
Summary: Overall, this appraisal considers whether the quality of research and analysis presented in the Commission's IA is fit for purpose, that is to say, whether the IA serves what should be one of its fundamental aims, which is to facilitate better-informed decision-making throughout the legislative process. After an initial screening, it concludes that the Impact Assessment does indeed provide some essential elements to assist decision-makers in understanding the rationale of the choices made by the Commission. However, it has a number of weaknesses which somewhat compromise its quality. Firstly, there seems to be a mismatch between the intended broad legislative overhaul, repealing the existing Directive and its Implementing Regulation, and the deliberately targeted analysis of the IA, which - focusing largely on six important issues - is bound to leave some other areas unexplored. Secondly, the Commission's decision not to carry out a fully-fledged evaluation is debatable and leaves some gaps in the analysis. While acknowledging the extreme complexity of the subject matter, a wider selection of options than the one presented in the IA might reasonably have been expected. Finally, some impacts, such as the anticipated effects on main groups of Member States, impacts on employment and on third countries, could have been better developed.


Publication type: Briefing
Date: 25-02-2016
Author: Laura ZANDERSONE
Policy area: Ex-ante Impact Assessment | Transport
Keyword: simplification of legislation | single market | impact study | competitiveness | administrative formalities | drafting of EU law | European Aviation Safety Agency | civil aviation | air safety
Summary: The main strengths of the IA are its apparently solid information base, including the two supporting studies, as well as good presentation of stakeholder views and the results of the public consultation throughout. It is, however, unfortunate that the external supporting studies do not appear to be publicly available. The IA would have benefited from a clearer and more complete presentation of the background information and problem definition, as well as more direct reference to the evidence identified. There appears to be a certain bias towards the preferred options, as far as the way in which options are presented is concerned; the question remains as to whether additional options could have been considered in order to provide a broader choice of genuine alternatives. There are also some technical presentation issues, such as rather inconsistent numbering of the items in some sections. It is striking that no reference whatsoever appears to be made to the existence of a second, separate IA (on drones) which accompanies the same proposal and thus is presumably intended to complete the overall analysis.
Contracts for the supply of digital content and for the online and other distance sales of goods: Initial Appraisal of a European Commission Impact Assessment

Publication type Briefing
Date 17-02-2016
Author HUBERT DALLI
Policy area Ex-ante Impact Assessment | Internal Market and Customs Union | Contract Law, Commercial Law and Company Law
Keyword single market | electronic commerce | impact study | digitisation | consumer protection | supply | personal data | harmonisation of standards | digital technology | data protection | contract | supplier
Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the above two Commission proposals (the proposals), submitted on 9 December 2015 and referred to Parliament's Committee on Internal Market and Consumer Protection. In 2011 the Commission published a proposal for a Regulation of the European Parliament and of the Council on a Common European Sales Law (CESL). The European Parliament adopted its first reading legislative resolution on the proposal in February 2014, proposing substantial amendments. It did not receive Council's backing, however. In its Work Programme for 2015, the Commission stated that it would be modifying the CESL proposal and the two proposals under examination are the result of that process. The 2015 Work Programme had announced that the Commission was preparing a strategy to identify and tackle the major challenges towards a digital single market, undertaking, amongst other things, to simplify the rules for consumers making online and digital purchases and to facilitate e-commerce. Please click here for the full publication in PDF format

Review of the EU waste management targets - 'Circular Economy Package': Initial Appraisal of a European Commission Impact Assessment

Publication type Briefing
Date 01-02-2016
Author Samuele DOSSI
Policy area Environment | Ex-ante Impact Assessment
Keyword simplification of legislation | impact study | drafting of EU law | public consultation | waste recycling | cost-benefit analysis
Summary The additional analysis accompanying the new 'Circular Economy package' goes a considerable way towards addressing some of the concerns previously voiced with regard to waste targets in the context of the original IA and legislative proposal, especially the criticisms regarding the apparent failure to take sufficient account of the different situations of the Member States and their capacity to perform in the future. It provides further evidence of the possible impacts of new waste targets by considering a number of alternatives to one of the original options (option 3), and by presenting the results of an updated application of the model used for the original impact assessment. In particular, costs were updated to 2015 prices, and data on waste was drawn from the latest available Eurostat sources (2012). The use of sensitivity analysis (carried out on the main input parameters used in the model, e.g. efficiency of the collection system, material losses and revenues, etc.) is another welcome indication of the desire to provide a realistic assessment of the likely impacts of the proposed measures. A clearer ranking of the options presented - and of their variants - might nevertheless have allowed for a more thorough appreciation of the potential impact (and benefits) of each of the new alternatives considered, as well as for a better understanding of the coherence between the new proposal and the overall impact assessment analysis. As mentioned, some questions concerning subsidiarity and proportionality - especially as to the issue of landfilling of waste - are left partially unaddressed. Finally, the analysis, though thorough, is clearly intentionally restricted to an exploration of the possible impacts generated by the new sets of waste targets. It does not seek to go further in 'exploring synergies with other policies' - one of the reasons set out in the April 2015 Roadmap, referred to above, for the withdrawal of the original proposal.


Publication type Briefing
Date 07-12-2015
Author Claudio COLLOVA
Policy area Ex-ante Impact Assessment | EU Law: Legal System and Acts
Keyword simplification of legislation | impact study | operation of the Institutions | drafting of EU law | European Commission
Summary This briefing note seeks to provide a short overview of some of the main changes introduced by the new Guidelines in the ex-ante impact assessment process. It does so both from a general point of view and then with regard to the formal presentation of the IA Report accompanying every legislative initiative subject to ex-ante impact assessment. Unless otherwise stated, references are to the Better Regulation Guidelines and Toolbox.

Briefing EN

Publication type: Briefing
Date: 09-11-2015
Author: Claudio COLLOVA
Policy area: Ex-ante Impact Assessment | Economics and Monetary Issues | Financial and Banking Issues
Keyword: financial policy | financial instrument | small and medium-sized enterprises | corporate finance | impact study | simplification of legislation | legislative programme (EU) | capital movement | financial legislation | deepening of the European Union | capital market | financing method | investment company | proposal (EU)

Summary: This briefing seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying two Commission proposals for Regulations referred to Parliament's Committee on Economic and Monetary Affairs: Regulation laying down common rules on securitisation and creating a European framework for simple, transparent and standardised securitisation (COM (2015) 472); and Regulation amending Regulation (EU) No 575/2013 on prudential requirements for credit institutions and investment firms (COM (2015) 473). Securitisation refers to the process of packaging and converting loans into securities that can be sold to investors. The Commission recognises that securitisation of US subprime mortgages was one of the causes of the last financial crisis, but believes that properly structured securitisation can play a positive role in the EU economy. These are the first two legislative proposals of the Action Plan on Building a Capital Markets Union, one of the Commission's key priorities, aimed at strengthening the links between savings and growth. The European Parliament resolution of 9 July 2015 on Building a Capital Markets Union expressed support for an initiative in this field, as part of a broad variety of avenues to be explored to improve SME financing.

Energy efficiency labelling: Initial Appraisal of a European Commission Impact Assessment

Publication type: Briefing
Date: 17-09-2015
Author: Katharina EISELE
Policy area: Ex-ante Impact Assessment | Energy
Keyword: social impact | impact study | economic consequence | energy efficiency | competitiveness | drafting of EU law | product design | environmental impact | energy saving

Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for a Regulation setting a framework for energy efficiency labelling, adopted on 15 July 2015, and referred to Parliament's Committee on Industry, Research and Energy. The proposal repeals Directive 2010/30/EU on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products. The proposal for a revision of the rules regulating energy efficiency labelling forms part of the energy package and aims to ensure that consumers make better informed purchase decisions of energy efficient products, and thereby reduce energy consumption and associated energy bills (as well as other major environmental impacts of products).


Publication type: Briefing
Date: 17-09-2015
Author: Samuele DOSSI
Policy area: Environment | Ex-ante Impact Assessment
Keyword: simplification of legislation | social impact | impact study | economic consequence | EU relations | EU Emissions Trading Scheme | competitiveness | drafting of EU law | reduction of gas emissions | environmental impact

Summary: This note provides an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for a Directive to enhance cost-effective emission reductions and low carbon investments, which was adopted on 15 July 2015 and has been referred to the Committee on Environment, Public Health and Food Safety. The EU Emissions Trading System (EU ETS) is the largest international trading system for greenhouse gas emission allowance. The ETS Directive was adopted in 2003 (and revised in 2009); it took effect in 2005 and now covers all EU Member States plus Iceland, Lichtenstein and Norway. The aim is to cut greenhouse gas emissions by 80 to 95 per cent compared to 1990 by 2050. The ETS works by putting a limit on the overall emissions from sectors included in the scheme and, ideally, these are reduced every year. Within the limits, companies can buy and sell emission allowances when needed (i.e. cap and trade approach). While until 2012 most allowances were given out for free by using the 'grandfathering' approach - based on historical Greenhouse Gas Emissions (GHG) -, since 2013, the system has operated through a benchmarking approach based on performance. A detailed overview of the mechanisms governing the ETS and its operation to date can be found in the EPRS Implementation Appraisal 'Climate action. Greenhouse Gas Emissions and the EU Emission Trading System'.

Publication type: Briefing
Date: 03-09-2015
Author: Joseph DUNNE

Policy area: Ex-ante Impact Assessment | Adoption of Legislation by EP and Council
Keyword: impact study | dissemination of information | EU policy | drafting of EU law | documentary tool

Summary: The European Parliament's Ex-Ante Impact Assessment Unit routinely undertakes initial appraisals of Impact Assessments accompanying the European Commission's legislative proposals when they arrive in Parliament, to check that certain criteria are met and to identify their basic methodological strengths and weaknesses. The initial appraisals do not attempt to deal with the substance of the proposal and are drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work. The present volume is a compendium of all Initial Appraisals produced from July 2014 to December 2015.

Smart Single Market Regulation

Publication type: Study
Date: 02-09-2015
External author: Patrick MULLER

Keyword: governance | single market | application of EU law | drafting of EU law | exchange of information | case study | economic analysis | EU law - national law | simplification of legislation | principle of subsidiarity | power of assessment | interinstitutional cooperation (EU) | digital technology | action programme

Summary: This study proposes a consolidated governance system that would serve as a tool for smart Single Market regulation toward 2020 and beyond. It outlines areas for improvement in Single Market regulation through the adoption of performance-based policy concepts; and reviews the scope for making better use of the Single Market governance tools to improve the effectiveness of regulation. The study was prepared for Policy Department A at the request of the Internal Market and Consumer Protection Committee.

Emissions from engines in non-road mobile machinery: Initial Appraisal of a European Commission Impact Assessment

Publication type: Briefing
Date: 04-05-2015
Author: Alina Alexandra GEORGESCU

Policy area: Environment | Ex-ante Impact Assessment | Public Health
Keyword: impact study | pleasure craft | technical standard | engine | combustion gases | cost of pollution | machinery | reduction of gas emissions | interinstitutional cooperation (EU) | health risk | harmonisation of standards

Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission’s Impact Assessment (IA) accompanying the proposal for a Regulation relating to emission limits and type-approval for internal combustion engines for non-road mobile machinery.

Non-road mobile machinery (NRMM) is a term that encompasses a wide range of equipment. Small handheld equipment, construction and forestry machinery, generators, railcars, locomotives and inland waterway vessels (IWV) can all be classed as NRMM. These machines are commonplace within the agriculture, construction, rail, aircraft, inland waterway transport (IWV) and domestic shipping industries.

This note, prepared by the Ex-Ante Impact Assessment Unit for the Committee on the Environment, Public Health and Food Safety (ENVI) of the European Parliament, analyses whether the principal criteria laid down in the Commission’s own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA.
**Veterinary medicinal products: Initial Appraisal of a European Commission Impact Assessment**

**Publication type**: Briefing  
**Date**: 29-04-2015  
**Author**: Laura ZANDERSONE  
**Policy area**: Ex-ante Impact Assessment | Internal Market and Customs Union | Public Health  
**Keyword**: single market | impact study | veterinary drug | administrative formalities | veterinary legislation | drafting of EU law | market approval  
**Summary**: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for a Directive on veterinary medicinal products. The proposal on veterinary medicines, together with the parallel proposal on medicated feed, is part of an overarching goal of the Commission to address the problem of rising threats from antimicrobial resistance in the EU. This note, prepared by the Ex-Ante Impact Assessment Unit for the Committee on Environment, Public Health and Food Safety (ENVI) of the European Parliament, analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA.

**Medicated feed: Initial Appraisal of a European Commission Impact Assessment**

**Publication type**: Briefing  
**Date**: 13-04-2015  
**Author**: Laura ZANDERSONE  
**Policy area**: Ex-ante Impact Assessment | Agriculture and Rural Development | Internal Market and Customs Union  
**Keyword**: single market | impact study | veterinary drug | animal welfare | drafting of EU law | animal feedingstuffs | cost-benefit analysis | environmental impact  
**Summary**: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for Regulation on the manufacture, placing on the market and use of medicated feed and repealing Council Directive 90/167/EEC (COM (2014) 556). This note, prepared by the Ex-Ante Impact Assessment Unit for the Committee on Agriculture and Rural Development (AGRI) of the European Parliament, analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA.

**Corporate governance: long-term shareholder engagement: Initial Appraisal of a European Commission Impact Assessment**

**Publication type**: Briefing  
**Date**: 13-04-2015  
**Author**: Claudio COLLOVA  
**Policy area**: Ex-ante Impact Assessment | Contract Law, Commercial Law and Company Law  
**Keyword**: financial management | corporate governance | publication of accounts | dissemination of information | drafting of EU law | business morals | investment protection | remuneration of work | shareholder | cost-benefit analysis | impact study | managing director | company with share capital  
**Summary**: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for a Directive of the European Parliament and of the Council amending Directive 2007/36/EC as regards the encouragement of long-term shareholder engagement, a Directive 2013/34/EU as regards certain elements of the corporate governance statement (COM (2014) 213), and a Commission Recommendation on the quality of corporate governance reporting ('comply or explain') (C(2014) 2165). This note, prepared by the Ex-Ante Impact Assessment Unit for the Committee on Legal Affairs (JURI) of the European Parliament, analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal.
Reduction of pollutant emissions from road vehicles: Initial Appraisal of a European Commission Impact Assessment

Publication type: Briefing
Date: 13-04-2015
Author: Alexia MANIAKI-GRIVA
Policy area: Environment | Ex-ante Impact Assessment
Keyword: impact study | approval | environmental standard | atmospheric pollution | combustion gases | motor vehicle pollution | drafting of EU law | atmospheric pollutant | environmental impact
Summary:
This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for a Regulation as regards the reduction of pollutant emissions from road vehicles.

This note, prepared by the Ex-Ante Impact Assessment Unit for the Committee on Environment, Public Health and Food Safety (ENVI) of the European Parliament, analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA.

Money Market Funds: Impact Assessment of Substantive EP Amendments

Publication type: Study
Date: 25-03-2015
External author: This study has been written by European Economic Research Ltd. (T/as Europe Economics) at the request of the Ex-Ante Impact Assessment Unit of the Directorate for Impact Assessment and European Added Value, within the Directorate-General for Parliamentary Research Services (DG EPRS) of the European Parliament.
Policy area: Ex-ante Impact Assessment | Economics and Monetary Issues | Financial and Banking Issues
Keyword: impact study | investment transaction | financial market | financial solvency | drafting of EU law | money market | regulation of investments | financial institution | public debt | financial legislation | investment company
Summary:
This study was requested by the European Parliament's Committee on Economic and Monetary Affairs (ECON), as part of Parliament's general commitment to improving the quality of EU legislation, and in particular its undertaking to carry out impact assessments of its own substantive amendments when it considers it appropriate and necessary for the legislative process.

The study concludes that the four substantive amendments in question, which are under consideration in the context of the ECON Committee's draft report on the Commission proposal on Money Market Funds (MMFs), would retain the effect of transforming the considerable majority of the Constant Net Asset Value (CNAV) MMF market in Europe. There would be some, but only limited, take-up of the proposed Retail CNAV or EU Public Debt CNAV Money Market Funds. Most of the funds currently invested in Constant Net Asset Value MMFs would move to either Variable Net Asset Value (VNAV) MMFs or short-term bank deposits. To some extent, the features of Constant Net Asset Value MMFs which are attractive to investors would be duplicated in Variable Net Asset Value MMFs, but, equally, the same concerns over systemic risk might also be replicated.

Earth observation satellite data for commercial purposes: supplementary briefing

Publication type: Briefing
Date: 23-03-2015
Author: Alina Alexandra GEORGESCU
Policy area: Ex-ante Impact Assessment | Internal Market and Customs Union | Industry
Keyword: aerospace industry | single market | drafting of EU law | public consultation | interinstitutional relations (EU) | cost-benefit analysis | use of outer space | remote sensing
Summary:
This document is a supplementary briefing to the Earth observation satellite data for commercial purposes: Initial Appraisal of a European Commission Impact Assessment based on the additional information contained in the Commission's non-paper.
How does ex-ante Impact Assessment work in the EU?

Summary
Ex-ante impact assessment (IA) represents an attempt to provide, in advance of legislating, a coherent analysis of the reasoning that lies behind, and the foreseeable effects of, any proposed measure or policy initiative. Initially launched at European Union level in 2002, an impact assessment text, often running to several hundred pages, is now routinely attached by the European Commission to every significant legislative proposal it presents.

This briefing examines the following points: 1) Brief history of the EU impact assessment process, 2) Impact assessment in the European Commission, 3) Impact assessment in the Council of Ministers and European Parliament, 4) Future reform of the impact assessment system.

The inclusion of Better Regulation in the portfolio of the Commission's new first Vice-President, Frans Timmermans, is a strong indication that impact assessment may play an enhanced role within the Juncker Commission.

Single-member private limited liability companies: Initial Appraisal of a European Commission Impact Assessment

Summary
This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the Commission proposal for a Directive on single-member private limited liability companies.

The context of the initiative is well presented. Efforts have been made to substantiate the problems identified and the various options considered are clearly described. Research and consultation appears to have been wide-ranging, although a breakdown of stakeholder views on each option would have been useful. The scope of the IA could have been broader, however. In particular, a more quantified and targeted cost-benefit analysis, especially with regard to costs for Member States and SMEs, and more data on how efficient different Member State measures have been in ensuring the smooth functioning of similar systems, would have strengthened the arguments. More specific evidence would also have been helpful with regard to the potential uptake of this initiative by the beneficiaries targeted.

Multiannual plan for the Baltic Sea stocks of cod, herring and sprat: Initial Appraisal of a European Commission Impact Assessment

Summary
This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the proposal for Regulation establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea. The impact assessment has been prepared in line with the established procedure of DG MARE for the evaluation of fish stock management plans.

The analysis of specific impacts remains rather general and both this and the problem definition could usefully have been strengthened and assessed in more detail. The language used is clear and accessible. Stakeholder consultation appears to have been thorough, although a breakdown of results would have been helpful. The question of impacts on SMEs, in particular, might merit further attention.

This note, prepared by the Ex-Ante Impact Assessment Unit for the Committee on Fisheries (PECH) of the European Parliament, analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It is drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work.
Prohibition on driftnet fisheries: Initial Appraisal of a European Commission Impact Assessment

Publication type: Briefing
Date: 29-01-2015
Author: Alison DAVIES | Laura ZANDERSONE
Policy area: Ex-ante Impact Assessment | Fisheries
Keyword: impact study | protected species | by-catch | conservation of fish stocks | drafting of EU law | fishing net | fishing controls | common fisheries policy
Summary:
This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the Proposal laying down a prohibition on driftnet fisheries.

In Council Regulation (EC) No 809/2007 a driftnet is defined as a gillnet 'held on the sea surface or at a certain distance below it by floating devices, drifting with the current, either independently or with the boat to which it may be attached. The overall impression is of an impact assessment prepared in some haste. Even if elements of the draft version of at least one of the two external studies commissioned were apparently used in its preparation, the timing of their completion seems to have been far from ideal.

The IA is clearly hampered by the acknowledged lack of adequate data regarding the core problems. Although a genuine attempt has evidently been made to describe the current situation, and in particular to establish how many driftnet fisheries and vessels are concerned, the presentation of the various figures coming from different sources is confusing and does not provide a clear overview. Finally, other issues identified, such as, for example, the monitoring and control difficulties, some of which would presumably persist in case of a total ban, might have deserved further consideration in the context of the preferred option.

New Role of Macro-Regions in European Territorial Cooperation

Publication type: Study
Date: 15-01-2015
External author: Bernd Schuh, Max Kintisch, Erich Dallhammer and Arta Preku (ÖIR) ; Erik Gieersen, Maria Toptsidou and Kai Böhme (Spatial Foresight) ; Alessandro Valenza, Pietro Celotti, Nicola Brignani and Berardino Cristino (t33) ; Dominic Stead, Will Zonneveld and Bas Waterhout (Delft University of Technology)
Policy area: Ex-ante Impact Assessment | Development and Humanitarian Aid | Regional Development
Keyword: governance | coordination of financing | cross-border cooperation | regional cooperation | economic and social cohesion | EU regional policy | regional disparity | case study
Summary:
This study provides a critical analysis of the future role of macro-regions in the implementation of European Territorial Cooperation. On the basis of a literature review and case studies, the study offers an assessment of potential benefits in the development of new macro-regional strategies as well as the most common risks and difficulties in their implementation. Recommendations are derived to inform the position of the European Parliament on how it can efficiently support the creation and implementation of new macro-regional strategies.

Review of the school distribution programmes in the area of agriculture: Initial Appraisal of a European Commission Impact Assessment

Publication type: Briefing
Date: 09-01-2015
Author: Alexia MANIAKI-GRIVA
Policy area: Ex-ante Impact Assessment | Agriculture and Rural Development
Keyword: health education | drafting of EU law | tropical fruit | drinking milk | fruit | impact study | food hygiene | sales aid | fresh fruit | common agricultural policy | school life | eating habits | fresh vegetable
Summary:
This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal on the aid scheme for the supply of fruit and vegetables, bananas and milk in the educational establishments.

Overall, the IA appears to be well documented and researched. However, potential downsides to the various options could have been more fully examined and stakeholder positions and concerns more adequately presented and taken into consideration. More generally, the conclusion that there is a necessity to act now, before the changes brought by the CAP 2020 agreement are implemented and evaluated, would have benefited from further explanation and evidence.

This note, prepared by the Ex-Ante Impact Assessment Unit for the Committee on Agriculture of the European Parliament, analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA.

Briefing EN
Responsible sourcing of minerals from conflict-affected areas: Initial Appraisal of a European Commission Impact Assessment

**Publication type**: Briefing

**Date**: 05-12-2014

**Author**: Laura ZANDERSONE

**Policy area**: Ex-ante Impact Assessment | International Trade

**Keyword**: mining of ore | import (EU) | drafting of EU law | business morals | common foreign and security policy | conflict prevention | cost-benefit analysis | gold | impact study | social impact | simplification of legislation | surveillance concerning imports | non-ferrous ore | illicit trade

**Summary**: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal setting up a Union system for supply chain due diligence of responsible importers of tin, tantalum and tungsten, their ores, and gold originating in conflict-affected and high risk areas. Armed groups and security forces in conflict regions partly finance their activities from the proceeds of the extraction and trade of minerals. These products later enter the global supply chain, meaning that business operators further down this chain are at risk of supporting armed activities through their purchases of mineral ores or their derivatives. Business operators from the EU and third countries have therefore expressed an interest in sourcing responsibly from such regions. The concept of responsible sourcing is not new and the proposal builds on existing international due diligence frameworks. The document concludes that the overall quality of the IA is good; however, it is regrettable that the wealth of core information included in Annexes is not fully exploited in the analysis of the policy options and possible impacts. More readily available synthesis and analysis of data could have been presented in the body of the IA for better readability. Finally, it should be noted that the usefulness of some options, for example, Options 1 and 2, is not clear, as the comparison tables (on pp. 62 and 63) show that few of the declared objectives could realistically have been met by these options. This note, prepared by the Ex-Ante Impact Assessment Unit for the Committee on Internal Trade (INTA) of the European Parliament, analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work.

Briefing **DE, EN, FR**

---

Appliances burning gaseous fuels: Initial Appraisal of a European Commission Impact Assessment

**Publication type**: Briefing

**Date**: 05-12-2014

**Author**: Alison DAVIES | Alina Alexandra GEORGESCU

**Policy area**: Ex-ante Impact Assessment | Internal Market and Customs Union | Consumer Protection

**Keyword**: single market | simplification of legislation | impact study | product safety | drafting of EU law | public consultation | gas appliance | small and medium-sized enterprises

**Summary**: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the above proposal for a Regulation on appliances burning gaseous fuels. This is a proposal to replace the Gas Appliances Directive 2009/142/EC (GAD) of 2009, which aims to permit the free movement of appliances and fittings burning gaseous fuels within the EU market while ensuring a high level of protection for their users against risks. The Directive is an example of Union harmonisation legislation, and is said to have contributed considerably to the completion and operation of the single market. The Gas Appliances Directive (GAD) covers appliances burning gaseous fuels that are used for cooking, heating, hot water production, refrigeration, lighting or washing, [...] forced draft burners and heating bodies to be equipped with such burners', as well as 'fittings' such as safety, controlling or regulating devices. The document concludes that, as far as the form is concerned, the drafting and editing quality of the IA is poor in places and there is a great deal of repetition. Some of the information contained in the Annexes could usefully have been included in the body of the report, and more direct reference to the work of the external study would have been helpful. The assessment of the options by individual problem issue is not the clearest way to proceed and makes it difficult to gain an overview. As far as the substance is concerned, the IA report seems to suggest that there is a limit to how much analysis can realistically and usefully be made of what it repeatedly recalls are unlikely to be significant impacts. The assessment of those potential impacts is therefore equally limited. The choice of options is also very restricted. The external IA study apparently already carried out an in-depth analysis of the various suggestions coming out of the consultation process. As a result, any additional options which might have implied more far-reaching impacts, such as extension of the scope of the legislation, for example, had already been discarded, and are therefore not included in the assessment within the IA report itself. Both the external study and the IA report could perhaps usefully have considered addressing in more depth some of the impacts of the options. More readily available synthesis and analysis of data could have been presented in the body of the IA for better readability. Finally, it should be noted that the usefulness of some options, for example, Options 1 and 2, is not clear, as the comparison tables (on pp. 62 and 63) show that few of the declared objectives could realistically have been met by these options. This note, prepared by the Ex-Ante Impact Assessment Unit for the Committee Internal Market and Consumer Protection (IMCO) of the European Parliament, analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work.

Briefing **EN**
Personal Protective Equipment: Initial Appraisal of a European Commission Impact Assessment

Publication type Briefing
Date 02-12-2014
Author Alina Alexandra GEORGESCU
Policy area Ex-ante Impact Assessment
Keyword simplification of legislation | impact study | approval | principle of subsidiarity | drafting of EU law | market approval | protective equipment | cost-benefit analysis | EC conformity marking
Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the Commission proposal for a Regulation on personal protective equipment. This is a proposal to revise Council Directive 89/686/EEC of December 1989 which aims to permit the free movement of personal protective equipment (PPE) in Europe while ensuring a high level of protection for its users against risks. PPE is defined as 'any device or appliance designed to be worn or held by any individual for protection against one or more safety hazards'. It ensures protection against any type of hazards e.g. heat, flames, chemicals, flying particles, mechanical, that may occur in different environments, such as work, home, or leisure, and can protect any part of the human body. This note, prepared by the Ex-Ante Impact Assessment Unit for the Committee on Internal Market and Consumer Protection (IMCO) of the European Parliament, analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work.

Briefing EN

Measures to address food waste in the context of the review of EU waste management targets: Initial Appraisal of a European Commission Impact Assessment

Publication type Briefing
Date 27-11-2014
Author Alison DAVIES
Policy area Environment | Ex-ante Impact Assessment
Keyword impact study | consumer information | fight against wastage | foodstuff | drafting of EU law | agro-industry
Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) on measures to address food waste. This IA, dated 23 September 2014, completes the IA on the review of EU waste management targets which accompanied the proposal on waste, on packaging and packaging waste, on the landfill of waste, on end-of-life vehicles, on waste batteries and accumulators, and on waste electrical and electronic equipment, adopted on 2 July 2014. This note, prepared by the Ex-Ante Impact Assessment Unit for the Committee on Environment, Public Health and Food Safety (ENVI) of the European Parliament, analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work.

Briefing EN

Revision of the EU visa policy: Initial Appraisal of a European Commission Impact Assessment

Publication type Briefing
Date 18-11-2014
Author Alexia MANIAKI-GRIVA
Policy area Area of Freedom, Security and Justice | Ex-ante Impact Assessment
Keyword visa policy | impact study | administrative formalities | drafting of EU law | admission of aliens
Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal on the Union Code on Visas. The Visa Code established by Regulation 810/2009 is an essential element of the common visa policy the development of which was a pre-requisite to the creation of a common area without internal borders. The Visa Code sets out harmonised procedures and conditions for issuing short-stay visas, so called Schengen visas (authorizing their holder to stay in the Schengen area for up to 90 days in any 180 days period). The Code, which was a recast and consolidation of all relevant legislation on the issuing of short stay 'Schengen' visas, entered into force in April 2010 with the overarching objectives of facilitating legitimate travel and tackling irregular immigration. In the Commission's IA, the problems to be addressed are explained in a very clear manner, as is the presentation of the options. Uncertainties are recognised and considerable effort has been made to substantiate the IA with concrete evidence, even though this has proved difficult for well explained reasons. Member States' concerns regarding security issues linked with the mandatory MEVs with long validity or the new 'touring' authorization, could have been better explained, however. Also, the fact that the proposal under consideration provides for a reduced time limit for examining applications seems surprising given the suggestion in the IA that this would not be an effective solution. Finally, putting aside the fact that the IA itself does not consider the creation of two separate legal instruments, it is not clear why the IA was not presented with both proposals jointly as a package, given that it covers the visa issue as a whole. This note, prepared by the Ex-Ante Impact Assessment Unit for the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament, analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work.

Briefing DE, EN, FR
Cableway installations: initial appraisal of the Commission’s Impact Assessment

Publication type: Briefing
Date: 17-11-2014
Author: Claudio COLLOVA

Policy area: Ex-ante Impact Assessment | Economics and Monetary Issues | Financial and Banking Issues
Keyword: single market | structural adjustment | economic consequence | principle of subsidiarity | United States | financial market | bank | EU Member State | credit institution | banking system | financial services

Summary:
This note seeks to provide an initial analysis of the strengths and weaknesses of the Commission’s Impact Assessment (IA) accompanying the two proposals on structural reforms of EU Credit Institutions and transparency of securities financing transactions. This initial appraisal refers primarily to the main analysis carried out in the IA, relating to credit institutions, supported by reference to the extensive body of annexes accompanying it. This appraisal is an initial analytical framework on a particularly complex and substantial body of work. Additional work can of course be performed on specific points, should the competent EP Committees so require. The main conclusions are that the IA on structural measures improving the resilience of EU Credit Institutions is a useful tool for policy-makers, which by and large respects the Commission’s own internal IA guidelines. The parallel IA on reporting and transparency of securities financing transactions is usefully presented together with the first IA, signalling a positive shift of the Commission toward looking at IA in a more coherent manner. However, the level of analysis of this latter IA, seemingly introduced at a later stage of the process, appears to be less in-depth than the one on structural reforms. This note, prepared by the Ex-Ante Impact Assessment Unit for the Committee on Economic and Monetary Affairs (ECON) of the European Parliament, analyses whether the principal criteria laid down in the Commission’s own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work.

Complementary Impact Assessment on interactions between EU air quality policy and climate and energy policy

Publication type: Study
Date: 04-11-2014
External author: This study has been performed by Markus Amann, Chris Heyes, Gregor Kiesewetter, Wolfgang Schöpp and Fabian Wagner of the International Institute for Applied Systems Analysis (IIASA), Laxenburg, Austria, at the request of the Impact Assessment Unit of the Directorate for Impact Assessment and European Added Value, within the Directorate-General for Parliamentary Research Services (DG EPRS) of the General Secretariat of the European Parliament.

Policy area: Environment | Ex-ante Impact Assessment | Energy
Keyword: impact study | pollution control measures | atmospheric pollution | energy efficiency | reduction of gas emissions | public health | cost-benefit analysis | quality of the environment

Summary: This study was undertaken at the request of the European Parliament’s Committee on Environment, Public Health and Food Safety. It provides a complementary impact assessment, exploring the interactions between the European Union’s air quality policy and the proposed EU climate and energy policy. It shows that reduced consumption of polluting fuels resulting from the climate and energy targets that have been put forward by the European Commission in early 2014 (i.e., a 40% reduction in GHGs, a share of 27% renewables, and a 30% improvement of energy efficiency compared to the 2007 baseline), would reduce premature mortality from fine particulate matter in the EU and make further air quality improvements less costly.

Study EN

Cableway installations: initial appraisal of the Commission’s impact assessment

Publication type: Briefing
Date: 29-10-2014
Author: Laura ZANDERSONE

Policy area: Ex-ante Impact Assessment | Internal Market and Customs Union
Keyword: safety device | impact study | cable transport | transport infrastructure | approval | principle of subsidiarity | drafting of EU law | cost-benefit analysis

Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the Commission’s Impact Assessment accompanying the proposal for a Regulation on cableway installations. Following the European Commission’s New Legislative Framework for simplifying EU legislation in the area of free movement of industrial products, the proposed Regulation on cableway installations aims to replace the existingDirective 2000/9/EC on cableway installations designed to carry persons (applicable from 3 May 2002). European cableway installations amount to 60 per cent of the world total (mainly in mountainous regions in France, Austria, Italy, Germany and Switzerland). 80 to 90 per cent of the global cableways market is represented by three big European companies, and the remaining 10 to 20 per cent by European SMEs. This note, prepared by the Ex-Ante Impact Assessment Unit for the European Parliament’s Committee on Internal Market and Consumer Protection, analyses whether the principal criteria laid down in the Commission’s own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work.

Briefing EN
Cooperation in the prevention and deterrence of undeclared work: initial appraisal of the European Commission impact assessment

Publication type Briefing
Date 29-10-2014
Author Alexia MANIAKI-GRIVA
Policy area Ex-ante Impact Assessment | Employment
Keyword impact study | economic consequence | labour inspectorate | fraud | moonlighting | drafting of EU law | administrative cooperation | cost-benefit analysis | principle of proportionality
Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the Commission proposal for a Decision on establishing a European Platform to enhance cooperation in the prevention and deterrence of undeclared work. Overall, the impression is that the Initial Appraisal did not benefit from a sufficiently thorough assessment and analysis, in particular as regards the options and their impacts. A more detailed and developed evidence base would have been helpful in contributing to a better understanding of the scale of the problem, in particular with regard to its cross-border dimension, and of the added value of cross-border mandatory cooperation between Member States in tackling undeclared work. This note, prepared by the Ex-Ante Impact Assessment Unit for the Committee on Employment and Social Affairs of the European Parliament, analyses whether the principal criteria laid down in the Commission’s own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work.

Commitments Made at the Hearing of Frans Timmermans - Commissioner-Designate

Publication type Briefing
Date 24-10-2014
Author Udo BUX | Darren NEVILLE
Keyword citizens’ Europe | transparency in decision-making | application of EU law | European Commissioner | Netherlands | public hearing | appointment of members | EU legal system | interinstitutional relations (EU) | rule of law | vice-president of an institution
Summary In his answers to the questionnaire and during the hearing on 7 October 2014 before the Conference of Presidents, Commissioner-designate Frans Timmermans made a number of commitments. These are summarised in the present briefing.

Commitments Made at the Hearing of Věra Jourová - Commissioner-Designate

Publication type Briefing
Date 24-10-2014
Author Petr NOVAK | Céline CHATEAU | Ottavio MARZOCCHI | Sarah Salome SY
Keyword company law | corporate governance | consumer protection | financial solvency | area of freedom, security and justice | maternity leave | appointment of members | children's rights | gender equality | anti-discriminatory measure | European Commissioner | public statement | interinstitutional relations (EU) | data protection
Summary In her answers to the questionnaires and during the hearing on 1 October 2014 before the Committees on Legal Affairs, on Civil Liberties, Justice and Home Affairs, on Internal Market and Consumer Protection and on Women's Rights and Gender Equality, the Commissioner-designate Věra Jourová made a number of commitments.
Activities and supervision of institutions for occupational retirement provision

Publication type: Briefing
Date: 23-10-2014
Author: Claudio COLLOVA

Policy area: Ex-ante Impact Assessment | Economics and Monetary Issues
Keyword: supplementary pension | impact study | principle of subsidiarity | corporate governance | supervisory power | consumer protection | financial solvency | drafting of EU law | insurance company | financial legislation

Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the Commission's Impact Assessment (IA) accompanying the proposal for the recast of the Directive on institutions for occupational retirement provision (IORP). IORPs are the so-called second pillar of the EU pension system, next to state pension and voluntary private pension schemes. IORPs manage assets for 75 million Europeans (20 per cent of the EU's working age population).

This note, prepared by the Ex-Ante Impact Assessment Unit for the Committee on Economic and Monetary Affairs (ECON) of the European Parliament, analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work.

Review of EU waste management targets: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 14-10-2014
Author: Alison DAVIES

Policy area: Environment | Ex-ante Impact Assessment
Keyword: simplification of legislation | impact study | environmental statistics | principle of subsidiarity | EU environmental policy | fight against wastage | export of waste | environmental law | drafting of EU law | cost-benefit analysis | waste management

Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its proposal for a Directive amending existing directives on waste, waste packaging, landfill of waste, end-of-life vehicles, batteries and waste electrical and electronic equipment, transmitted on 14 July 2014. Prepared by the Ex-Ante Impact Assessment Unit for the Committee on Environment, Public Health and Food Safety (ENVI) of the European Parliament, it analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the committee and Members more widely in their work.

Novel Foods - Impact assessment

Publication type: Study
Date: 26-09-2014
Author: Laura ZANDERSONE

Policy area: Environment | Food Safety | Ex-ante Impact Assessment | Agriculture and Rural Development | Consumer Protection
Keyword: impact study | food inspection | European Food Safety Authority | new product | drafting of EU law | supervisory body | medical plant | food industry | market approval

Summary: This research paper was undertaken at the request of the European Parliament’s Committee on Environment, Public Health and Food Safety (ENVI). It provides a complementary impact assessment, reviewing and updating the 2008 European Commission Impact Assessment of a proposal for a Regulation replacing Regulation (EC) No. 258/97 on Novel Foods and Novel Food Ingredients. In particular, it assesses the impacts of the Commission’s 2013 proposal on the various parties concerned, i.e., EU-level and Member State-level decision-makers, European consumers, and the food industry. This complementary impact assessment focuses on key aspects of the 2013 proposal, namely: the scope of its 'Novel Foods' definition; the efficiency and the impact of the centralised authorisation procedures on the various parties concerned; the role of national authorities and agencies in the centralised system, and the proposed Regulation’s coherence with other EU regulatory requirements.
Reform of the European Network of Employment Services (EURES): Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 15-07-2014
Author: Alexia MANIAKI-GRIVA
Policy area: Ex-ante Impact Assessment | Employment
Keyword: impact study | EURES | job vacancy | Internet site | operation of the Institutions | drafting of EU law | employment service | exchange of information | administrative cooperation | administrative reform | free movement of workers
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the Commission's proposal for a Regulation of the European Parliament and of the Council on a European Network of Employment Services, workers' access to mobility services and the further integration of labour markets (COM (2014) 6 final), submitted on 17 January 2014. It does not attempt to deal with the substance of the proposals and is drafted for informational and background purposes to assist the Employment and Social Affairs committee and its Members in their work.

Customs Infringements and Sanctions: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 15-07-2014
Author: Claudio COLLOVA
Policy area: Ex-ante Impact Assessment | Internal Market and Customs Union
Keyword: impact study | approximation of laws | drafting of EU law | customs fraud | penalty
Summary: This briefing seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying its proposal for a directive of the European Parliament and of the Council on the Union legal framework for customs infringements and sanctions (COM (2013) 0884), submitted to the Parliament in December 2013. It does not attempt to deal with the substance of the proposals and is drafted for informational and background purposes to assist the IMCO committee and its Members in their work.

Organic Production and Labelling of Organic Products: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 15-07-2014
Author: Alison DAVIES
Policy area: Ex-ante Impact Assessment | Agriculture and Rural Development | Internal Market and Customs Union
Keyword: agricultural production policy | drafting of EU law | supervisory body | agricultural market | quality control of agricultural products | labelling | organic farming | organic product
Summary: This briefing seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying its proposal for a Regulation of the European Parliament and the Council on organic production and labelling of organic products (COM (2014) 180), which was adopted on 24 March 2014. It does not attempt to deal with the substance of the proposal and is drafted for informational and background purposes to assist the AGRI committee and its Members in their work.

Compendium of Initial Appraisals of European Commission Impact Assessments: July 2013 - June 2014

Publication type: In-Depth Analysis
Date: 15-07-2014
Policy area: Ex-ante Impact Assessment | EU Law: Legal System and Acts
Keyword: impact study | EU policy | drafting of EU law | documentary tool
Summary: The European parliament's Ex-Ante Impact Assessment Unit routinely screens the road-maps accompanying the European Commission's Work Programme, to check which of its legislative proposals will be subject to impact assessment by the Commission. It then undertakes an initial appraisal of these Commission impact assessments when they arrive in the Parliament, to check that certain criteria are met and to identify the basic methodological strengths and weaknesses of the texts. This is a compendium of such initial appraisals prepared by the Ex-Ante Impact Assessment Unit for different parliamentary committees. They analyse whether the principal criteria laid down in the Commission’s Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the impact assessments accompanying Commission proposals. They do not attempt to deal with the substance of the proposal and are drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work. The present volume is a compendium of all Initial Appraisals produced by the Ex-Ante Impact Assessment Unit in the period from July 2013 to June 2014.
Protection of Trade Secrets: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 08-07-2014
Author: Alina Alexandra GEORGESCU
Policy area: Ex-ante Impact Assessment | Internal Market and Customs Union | Industry
Keyword: impact study | approximation of laws | confidentiality | industrial secret | drafting of EU law | business morals | economic offence | industrial espionage | intellectual property
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying its proposal for a Directive on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (COM (2013) 813), which was adopted on 28 November 2013. It does not attempt to deal with the substance of the proposals and is drafted for informational and background purposes to assist the JURI committee and its Members in their work.

Cloning of Animals: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 16-06-2014
Author: Laura ZANDERSONE
Policy area: Food Safety | Ex-ante Impact Assessment | Agriculture and Rural Development | Consumer Protection
Keyword: food safety | consumer protection | import (EU) | foodstuffs legislation | labelling | animal production | traceability | impact study | meat | animal welfare | milk product | cloning | transgenic animal
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying its proposals for a directive of the European Parliament and of the Council on the cloning of animals of the bovine, porcine, ovine, caprine and equine species kept and reproduced for farming purposes, and for a Council Directive on the placing on the market of food from animal clones (COM (2013) 892 and COM (2013) 893), adopted on 18 December 2013. It does not attempt to deal with the substance of the proposals and is drafted for informational and background purposes to assist the AGRI committee and its Members in their work.

Review of the Air Quality Policy Framework: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 15-04-2014
Author: Alison DAVIES
Keyword: impact study | pollution control measures | environmental law | motor vehicle pollution | drafting of EU law | atmospheric pollutant | industrial pollution | diesel engine | power plant | cost-benefit analysis | small and medium-sized enterprises
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying a Communication on a Clean Air Programme for Europe, a proposal for a Directive regulating air emissions from Medium Combustion Plants, a proposal for a Directive on the reduction of national emissions of certain atmospheric pollutants, and a proposal for a Decision on the Amendment to the 1999 Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution (COM (2013) 918; COM (2013) 919; COM (2013) 920; COM (2013) 917), submitted in January 2014. It analyses whether the principal criteria laid down in the Commission’s own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee and Members more widely in their work.
EU-US Transatlantic Trade and Investment Partnership: Detailed Appraisal of the Commission's Impact Assessment

Publication type Study
Date 15-04-2014
External author Jacques Pelkmans, Arjan Lejour, Lorna Schrefler, Federica Mustilli and Jacopo Timini (CEPS)
Policy area Ex-ante Impact Assessment | International Trade
Keyword labour market | public contract | United States | free-trade agreement | non-tariff barrier | impact study | social impact | economic forecasting | economic consequence | economic model | comparative analysis | trade agreement (EU) | environmental impact
Summary This research paper examines the appropriateness and validity of the methodology behind the European Commission’s Impact Assessment (IA) of the Transatlantic Trade and Investment Partnership (TTIP), focusing in particular on the underlying economic model, a computable general equilibrium (CGE). The methodology applied by CEPR for this economic modelling is analysed in depth, together with the assumptions used to make the TTIP amenable to an economic appraisal. The research paper also compares the IA on the TTIP with selected previous empirical economic assessments of EU trade agreements and with a set of alternative studies on the TTIP itself. In reading our findings, two central caveats should be kept in mind that affect any analysis of the CGE model included in the European Commission's Impact Assessment. First, the TTIP is a rather unusual bilateral trade agreement; and second, the TTIP is so wide-ranging that an alternative approach, such as the so-called 'partial' (equilibrium) approach - already a second-best solution - would be totally inappropriate to the case under examination.

Study EN

‘EU Safety Tested’ Marking: Impact Assessment of a Substantive EP Amendment

Publication type Study
Date 09-04-2014
External author Van Dijk Management Consultants
Policy area Ex-ante Impact Assessment | Consumer Protection
Keyword approval | safety standard | consumer protection | product safety | drafting of EU law | labelling | market supervision | feasibility study | cost-benefit analysis
Summary Consumers today misinterpret the CE mark as a safety mark, assuming that CE marked products have been tested for safety and approved by some kind of authority. The European Parliament proposes the introduction of a voluntary, new ‘EU Safety Tested’ mark, which could be affixed by manufacturers to all non-food consumer products, regardless of the harmonised or non-harmonised nature thereof, provided they are tested positively by third parties. The objective of this study if to provide an assessment of the probable costs and benefits related to the introduction of an ‘EU Safety Tested’ mark (in general, and more in particular for SMEs), and to assess the feasibility of its introduction.

Study EN

Consumer Product Safety Regulation: Detailed Appraisal of the European Commission's Impact Assessment

Publication type In-Depth Analysis
Date 04-04-2014
Author Claudio COLLOVA
Policy area Ex-ante Impact Assessment | Consumer Protection
Keyword impact study | surveillance concerning imports | consumer protection | originating product | quality control of industrial products | product safety | labelling | producer's liability | distributor | proposal (EU)
Summary This paper seeks to provide a detailed analysis, from a methodological perspective, of part of the European Commission's Impact Assessment (IA) accompanying its proposal for a Consumer Product Safety Regulation (CPSR). Requested by the IMCO Committee, the aim of this analysis is to determine whether the IA covered adequately the following elements of the Commission's proposal: Country of origin marking (Article 7 of the CPSR) and obligations for economic operators (Articles 8 to 11 of the CPSR). It performs the requested 'health check' from two angles. Firstly, it analyses whether the Commission's IA - with regard to the above subjects only - is fit for its overall purpose, which is to aid political decision-making by presenting a comprehensive assessment of the likely impacts of all options. Secondly, it analyses whether the IA meets the standards which the Commission has laid down in its internal Impact Assessment Guidelines, as well as the quality criteria which the Parliament has defined in its resolutions.

In-Depth Analysis EN
European Small Claims Procedure: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 14-03-2014
Author: Alexia MANIAKI-GRIVA
Keyword: impact study | judicial cooperation in civil matters in the EU | consumer protection | drafting of EU law | civil proceedings | trade dispute | legal expenses | civil procedure | cost-benefit analysis | small and medium-sized enterprises
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying its proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) n°861/2007 establishing a European Small Claims Procedure and Regulation (EC) n° 1896/2006 creating a European order for payment procedure (COM (2013) 794), submitted on 19 November 2013. It analyses whether the principal criteria laid down in the Commission’s own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee and Members more widely in their work.

Strengthening Aspects of the Presumption of Innocence and the Right to be Present at Trial in Criminal Proceedings: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 14-03-2014
Author: Alina Alexandra GEORGESCU
Keyword: impact study | judicial cooperation in criminal matters in the EU | drafting of EU law | rights of the defence | criminal procedure
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its Proposal for a Directive on the strengthening of certain aspects of the presumption of innocence and of the right to be present at trial in criminal proceedings (COM (2013) 821), which was transmitted in November 2013. It analyses whether the principal criteria laid down in the Commission’s own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee and Members more widely in their work.

European Long-term Investment Funds: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 07-03-2014
Author: Claudio COLLOVA
Policy area: Ex-ante Impact Assessment | Financial and Banking Issues
Keyword: impact study | financial market | drafting of EU law | regulation of investments | investment promotion | financial legislation | long-term financing
Summary: This briefing seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its proposal for a Regulation of the European Parliament and of the Council on European Long-term Investment Funds (COM (2013) 462), which was submitted on 26 June 2013. It analyses whether the principal criteria laid down in the Commission’s own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee and Members more widely in their work.
Legal Aid for Suspects or Accused Persons in Criminal Proceedings: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 07-03-2014
Author: Alexia MANIAKI-GRIVA
Policy area: Area of Freedom, Security and Justice | Ex-ante Impact Assessment
Keyword: impact study | right to justice | legal aid | judicial cooperation in criminal matters in the EU | drafting of EU law | European judicial area | rights of the defence | criminal procedure
Summary: This briefing seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its proposal for a Directive of the European Parliament and of the Council on provisional legal aid for suspects or accused persons deprived of liberty and legal aid in European Arrest Warrant Proceedings (COM (2013) 824), submitted on 27 November 2013. This proposal is part of the 2009 Roadmap on Procedural Rights ('the Roadmap') aiming at strengthening the rights of suspects and accused persons by setting common minimum standards on fair trial rights. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee and Members more widely in their work.

Money Market Funds: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 14-02-2014
Author: Claudio COLLOVA
Policy area: Ex-ante Impact Assessment | Economics and Monetary Issues
Keyword: impact study | financial solvency | drafting of EU law | law of banking | banking system | financial legislation | financial instrument | short-term financing | investment company
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying its proposal for a regulation of the European Parliament and of the Council on Money Market Funds (COM (2013) 615), which was submitted in September 2013. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee and Members more widely in their work.


Publication type: Briefing
Date: 14-02-2014
Author: Alison DAVIES
Policy area: Area of Freedom, Security and Justice | Ex-ante Impact Assessment
Keyword: impact study | right to justice | judicial cooperation in criminal matters in the EU | criminal proceedings | drafting of EU law | European judicial area | rights of the defence | young person | mentally disabled | criminal procedure
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the Commission's proposal for a Directive on procedural safeguards for children suspected or accused in criminal proceedings (COM (2013) 822 final), which was transmitted on 28 November 2013. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee and Members more widely in their work.
Indices Used as Benchmarks in Financial Instruments: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 11-02-2014
Author: Claudio COLLOVA

Policy area: Ex-ante Impact Assessment | Economics and Monetary Issues
Keyword: impact study | principle of subsidiarity | supervisory power | financial market | drafting of EU law | business morals | conflict of interest | financial legislation | economic indicator | cost-benefit analysis

Summary: This note seeks to provide an initial analysis of the European Commission's Impact Assessment (IA) accompanying its proposal for a regulation of the European Parliament and of the Council on indices used as benchmarks in financial instruments and financial contracts (COM (2013) 641), which was submitted in September 2013. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee and Members more widely in their work.

Invasive Alien Species: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 11-02-2014
Author: Alison DAVIES

Policy area: Environment | Ex-ante Impact Assessment
Keyword: impact study | biodiversity | economic consequence | environmental monitoring | protection of plant life | harmful plant | protection of animal life | cost-benefit analysis

Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying its proposal for a Regulation on the prevention and management of the introduction and spread of invasive alien species (COM (2013) 620 final, which was adopted on 9 September 2013. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee and Members more widely in their work.

Seafarers: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 11-02-2014
Author: Alexia MANIAKI-GRIVA

Policy area: Ex-ante Impact Assessment | Education
Keyword: impact study | labour law | worker consultation | merchant fleet | competitiveness | crew | drafting of EU law | job creation | working conditions | worker participation | job security

Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for a Directive for the inclusion of seafaring workers in the EU labour law Directives, submitted on 18 November 2013. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee and Members more widely in their work.

Simplifying the Acceptance of Certain Public Documents in the EU: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 15-01-2014
Author: Claudio COLLOVA

Policy area: Area of Freedom, Security and Justice | Ex-ante Impact Assessment
Keyword: impact study | official document | principle of subsidiarity | right of establishment | administrative formalities | drafting of EU law | administrative cooperation | free movement of persons | proposal (EU)

Summary: This note seeks to provide an initial analysis of the European Commission's Impact Assessment (IA) accompanying its proposal for a Regulation of the European Parliament and of the Council on promoting the free movement of citizens and businesses by simplifying the acceptance of certain public documents in the European Union and amending Regulation (EU) 1024/2012 (COM (2013) 228), which was submitted in April 2013. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal.
Maximum Authorized Dimensions and Weights of Certain Road Vehicles: Initial Appraisal of the Commission's Impact Assessment

Publication type Briefing
Date 15-01-2014
Author Alison DAVIES
Policy area Ex-ante Impact Assessment | Transport
Keyword impact study | container | energy efficiency | drafting of EU law | carrying capacity | commercial vehicle | weight and size | combined transport | cost-benefit analysis | small and medium-sized enterprises

Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its proposal for a Directive of the European Parliament and of the Council amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic (COM (2013) 195 final), submitted on 15 April 2013. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee and Members more widely in their work.

Lightweight Plastic Carrier Bags: Initial Appraisal of the Commission's Impact Assessment

Publication type Briefing
Date 15-01-2014
Author Alison DAVIES
Policy area Environment | Ex-ante Impact Assessment
Keyword impact study | fight against wastage | drafting of EU law | plastics | packaging product | retail trade | economic instrument for the environment | legal basis | prevention of pollution | cost-benefit analysis | small and medium-sized enterprises

Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its proposal for a Directive of the European Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste to reduce the consumption of lightweight plastic carrier bags (COM (2013) 761 final, submitted on 4 November 2013. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee and Members more widely in their work.

Regulation on Shipments of Waste: Initial Appraisal of the Commission's Impact Assessment

Publication type Briefing
Date 15-01-2014
Author Alexia MANIAKI-GRIVA
Policy area Environment | Ex-ante Impact Assessment
Keyword impact study | customs inspection | export monitoring | export of waste | illicit trade | hazardous waste | proposal (EU)

Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its proposal for a Directive of the European Parliament and of the Council amending Regulation on the Shipments of Waste (WSR), submitted on 11 July 2013. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal.

Information and Promotion Measures for Agricultural Products on the Internal Market and in Third Countries: Initial Appraisal of the Commission's Impact Assessment

Publication type Briefing
Date 15-01-2014
Author Alison DAVIES
Policy area Ex-ante Impact Assessment | Agriculture and Rural Development
Keyword common commercial policy | impact study | aid to agriculture | drafting of EU law | agricultural product | sales promotion | agro-industry | trade promotion | EU financing | common agricultural policy

Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its proposal for a Regulation of the European Parliament and of the Council on information provision and promotion measures for agricultural products on the internal market and in third countries (COM (2013) 812 final which was submitted on 21 November 2013. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee and Members more widely in their work.
Single European Sky - SES II+: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 15-01-2014
Author: Alison DAVIES
Policy area: Ex-ante Impact Assessment | Transport
Keyword: impact study | principle of subsidiarity | air traffic control | meteorology | liberalisation of the market | drafting of EU law | supervisory body | common transport policy | provision of services
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its proposal for a Regulation on the implementation of the Single European Sky (recast) (COM (2013) 410 final), which was submitted on 11 June 2013. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee and Members more widely in their work.

New Psychoactive Substances: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 15-01-2014
Author: Alexia MANIAKI-GRIVA
Policy area: Ex-ante Impact Assessment | Public Health
Keyword: single market | impact study | psychotropic substance | judicial cooperation in criminal matters in the EU | drafting of EU law | European Monitoring Centre for Drugs and Drug Addiction | market approval | health risk | drug traffic | drug addiction
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposed changes to the Council Decision on the definition of drugs and a proposed new Regulation on emerging psychoactive substances, submitted on 17 September 2013. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee and Members more widely in their work.

Implementing the Principle of Equal Treatment between Persons: Complementary Impact Assessment of the Proposed Horizontal Directive

Publication type: Study
Date: 15-01-2014
External author: Milieu Ltd.
Policy area: Ex-ante Impact Assessment | Gender Issues, Equality and Diversity
Keyword: Romania | Czechia | cost-benefit analysis | facilities for the disabled | small and medium-sized enterprises | Spain | impact study | discrimination on the basis of sexual orientation | Germany | age discrimination | access to education | health care system | equal treatment | discrimination based on disability | social services | Sweden | proposal (EU)
Summary: In 2008, the European Commission presented a proposal for a Directive to address discrimination outside the workplace based on the grounds of age, disability, sexual orientation, and on religion or belief. While the European Parliament and Member States generally supported the proposal, some Member States have expressed concerns, among others, in relation to the potential costs of the proposed Directive, its lack of legal certainty and the lack of assessment of the costs and benefits that its implementation would place on service providers. This study has therefore been commissioned by the European Parliament to facilitate agreement on the proposal by providing insight into possible costs for Small and Medium Sized Enterprises (SMEs) and public service providers. While most of the costs related to equal treatment measures will be very low, the assessment shows also that a range of costs for these actors have a potential to be significant.
Return of Cultural Objects Unlawfully Removed from the Territory of a Member State: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 16-12-2013
Author: Alexia MANIAKI-GRIVA
Policy area: Culture | Ex-ante Impact Assessment
Keyword: impact study | interpretation of the law | Unesco | drafting of EU law | illicit trade | administrative cooperation | heritage protection | directive (EU) | international convention | cultural object | national implementing measure
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its proposal for a Directive of the European Parliament and of the Council on the return of cultural objects unlawfully removed from the territory of a Member State (COM (2013) 311 final) (recast), submitted on 30 May, 2013. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee and Members more widely in their work.

Establishment of the European Public Prosecutor's Office: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 16-12-2013
Author: Alison DAVIES
Policy area: Area of Freedom, Security and Justice | Ex-ante Impact Assessment
Keyword: impact study | legal system | principle of subsidiarity | public prosecutor's department | European Anti-fraud Office | Eurojust | judicial cooperation in criminal matters in the EU | operation of the Institutions | drafting of EU law | legal process | fraud against the EU
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its proposal for a Council Regulation on the Establishment of the European Public Prosecutor's Office (COM (2013) 534 final), submitted on 17 July 2013. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee and Members more widely in their work.

EU-China Investment Relations: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 09-12-2013
Author: Alina Alexandra GEORGESCU
Policy area: Ex-ante Impact Assessment | International Trade
Keyword: common commercial policy | impact study | negotiation of an agreement (EU) | foreign investment | investment abroad | investment promotion | China
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment Report on EU-China Investment Relations, submitted on 23 May 2013. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal.

Actions for Antitrust Damages: Initial Appraisal of a European Commission Impact Assessment

Publication type: Briefing
Date: 15-11-2013
Author: Claudio COLLOVA
Policy area: Ex-ante Impact Assessment | Contract Law, Commercial Law and Company Law | Consumer Protection
Keyword: impact study | proof | access to the courts | consumer protection | unlawful agreement | drafting of EU law | admissibility | competition law | damages | principle of legal certainty
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for a Directive on Actions for Antitrust Damages, submitted on 11 June 2013. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work.
Registration of Motor Vehicles Previously Registered in Another Member State: Choice of Number Plates in Union colours. Impact Assessment of a Substantive Amendment

Publication type: Study
Date: 15-11-2013
External author: ICF GHK
Policy area: Ex-ante Impact Assessment | Consumer Protection
Keyword: impact study | European symbol | prevention of delinquency | citizens' Europe | frontier worker | theft | vehicle registration | cost-benefit analysis

Summary: This Impact Assessment evaluates the potential benefits and costs of the introduction of a voluntary choice at a re-registration for EU businesses and citizens to have motor vehicle number plates in Union colours, rather than carrying colours determined by national law. The assessment includes a review of secondary evidence, consumer studies as well as interviews with key industry stakeholders. The findings indicate that while there are some possible tangible benefits from the proposed amendments they are highly uncertain. It is unknown what the level of consumer take-up of the vehicle plates in Union colours is likely to be or what the impact the choice of plates might have on vehicle value or citizens perceptions of the EU over time. Hence, the cost-benefit analysis concludes that any net benefit is likely to be marginal at best, considering the uncertainties involved.

Study EN

Port Services: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 08-11-2013
Author: Alexia MANIAKI-GRIVA
Policy area: Ex-ante Impact Assessment | Transport
Keyword: single market | control of State aid | port traffic | control of restrictive practices | common ports policy | trans-European network | port administration | maritime shipping | market access

Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its proposal for a Regulation of the European Parliament and of the Council establishing a framework on the market access to port services and the financial transparency of ports (COM (2013) 296), submitted on 23 May 2013. It analyses whether the principal criteria laid down in the Commission’s own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal.

Briefing DE, EN, FR


Publication type: Briefing
Date: 08-11-2013
Author: Claudio COLLOVA
Policy area: Budget | Ex-ante Impact Assessment | Financial and Banking Issues
Keyword: European neighbourhood policy | impact study | project evaluation | EIB loan | coordination of financing | third country | investment project | European Investment Bank | credit guarantee | general budget (EU)

Summary: This note seeks to provide an initial analysis of the European Commission's Impact Assessment (IA) accompanying its proposal for a Decision of the European Parliament and of the Council on granting an EU guarantee to the European Investment Bank against losses under financing operations supporting investment projects outside the Union (COM (2013) 293), adopted by the Commission in May 2013. It analyses whether the principal criteria laid down in the Commission’s own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal.

Briefing DE, EN, FR

Payment Accounts: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 15-10-2013
Author: Claudio COLLOVA
Policy area: Ex-ante Impact Assessment | Financial and Banking Issues
Keyword: single market | consumer information | bank | consumer behaviour | publishing of prices | advertising malpractice | banking policy | bank charges | banking system

Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying its proposal for a Directive of the European Parliament and of the Council on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features (COM (2013) 266 final), submitted by the Commission in May 2013. It analyses whether the principal criteria laid down in the Commission’s own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal.

Briefing DE, EN, FR
European Single Market for Electronic Communications - Achieving a Connected Continent: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 15-10-2013
Author: Elke BALLON
Policy area: Ex-ante Impact Assessment | Industry
Keyword: single market | consumer price | regulation of telecommunications | telecommunications policy | telecommunications industry | data transmission | radio telecommunications | consumer policy | provision of services | technical specification
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying its proposal for a Regulation of the European Parliament and of the Council laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent, and amending Directives 2002/20/EC, 2002/21/EC and 2002/22/EC and Regulations (EC) No 1211/2009 and (EU) No 531/2012 (COM (2013) 627), submitted on 11 September 2013. It analyses whether the principal criteria laid down in the Commission’s own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal.

Briefing: DE, EN, FR

Package Travel and Assisted Travel Arrangements: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 15-10-2013
Author: Elke BALLON
Policy area: Ex-ante Impact Assessment | Consumer Protection | Tourism
Keyword: electronic commerce | impact study | consumer protection | application of EU law | travel agency | independent retailer | passenger tariff | trade intermediary | traveller

Briefing: DE, EN, FR

Freedom of Movement of EU Workers within the EU: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 15-10-2013
Author: Alexia MANIAKI-GRIVA
Policy area: Ex-ante Impact Assessment | Employment
Keyword: equal treatment | integration into employment | labour mobility | integration of migrants | freedom of movement | job security | free movement of workers | migrant worker | free movement of persons | discrimination on the basis of nationality
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its proposal for a Directive of the European Parliament and of the Council on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers (COM (2013) 236 final), submitted on 26 April 2013. It analyses whether the principal criteria laid down in the Commission’s own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal.

Briefing: DE, EN, FR
Modernisation of Trade Defence Instruments: Initial Appraisal of the Commission's Impact Assessment

Publication type | Briefing
--- | ---
Date | 14-10-2013
Author | Elke BALLON
Policy area | Ex-ante Impact Assessment | International Trade
Keyword | common commercial policy | impact study | World Trade Organisation | anti-dumping measure | trade cooperation | import restriction | social clause | tariff negotiations | international trade | protective clause
Summary | This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) n° 1225/2009 on protection against dumped imports from countries not members of the European Community and Council Regulation (EC) n° 597/2009 on protection against subsidised imports from countries not members of the European Community (COM (2013) 192 final), which was submitted on 10 April 2013 and which aims at modernising the EU's trade defence policy in order to respond to the new challenges in the international trade environment.

Briefing | DE, EN, FR

Electronic Invoicing in Public Procurement: Initial Appraisal of the Commission's Impact Assessment

Publication type | Briefing
--- | ---
Date | 14-10-2013
Author | Claudio COLLOVA
Policy area | Ex-ante Impact Assessment | Internal Market and Customs Union
Keyword | single market | impact study | public contract | public authorities | harmonisation of standards | invoicing | electronic government
Summary | This note seeks to provide an initial analysis of the European Commission's Impact Assessment (IA) accompanying its Proposal for a Directive of the European Parliament and of the Council on electronic invoicing in public procurement (COM (2013) 449), which it submitted in June 2013. Once the proposal enters into force, the Commission would request the relevant European standardisation organisation (CEN - the Committee for European Standardization) to draw up a European standard for electronic invoicing, which market operators would be free to adopt and contracting authorities would be obliged to accept.

Briefing | EN

Maritime Spatial Planning and Integrated Coastal Management: Initial Appraisal of the Commission's Impact Assessment

Publication type | Briefing
--- | ---
Date | 16-09-2013
Author | Elke BALLON
Policy area | Environment | Ex-ante Impact Assessment
Keyword | coastal region | impact study | Mediterranean Sea | marine ecosystem | coastal protection | marine environment | sustainable development | adaptation to climate change | area management
Summary | This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the Commission proposal for a Directive of the European Parliament and of the Council establishing a framework for maritime spatial planning and integrated coastal management (COM (2013) 133), submitted on 12 March 2013. It analyses whether the principal criteria laid down in the Commission’s own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal.

Briefing | DE, EN, FR

Air Passenger Rights: Initial Appraisal of the Commission's Impact Assessment

Publication type | Briefing
--- | ---
Date | 16-09-2013
Author | Elke BALLON
Policy area | Ex-ante Impact Assessment | Transport | Consumer Protection
Keyword | social impact | impact study | consumer protection | carriage of passengers | air safety | air transport | air space
Summary | This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying its proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delays of flights, and Regulation (EC) No 2027/97 on air carrier liability in respect of the carriage of passengers and their baggage by air (COM (2013) 130), submitted on 13 March 2013. It analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal.

Briefing | DE, EN, FR
Entry/Exit Data of Third-Country Nationals Crossing the External Borders of the EU: Initial Appraisal of the Commission's Impact Assessment

Publication type Briefing
Date 05-09-2013
Author Elke BALLON
Policy area Area of Freedom, Security and Justice | Ex-ante Impact Assessment
Keyword border control | project evaluation | database | Schengen Information System | area of freedom, security and justice | personal data | foreign national | external border of the EU
Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying its proposal for a Regulation of the European Parliament and of the Council establishing an entry/exit system to register entry and exit data of third-country nationals crossing the external borders of the Member States of the European Union (COM (2013) 95), submitted on 28 February 2013. Prepared by the Ex-Ante Impact Assessment Unit for the Committee on Civil Liberties, Justice and Home Affairs (LIBE), it analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work.

Registered Traveller Programme: Initial Appraisal of the Commission's Impact Assessment

Publication type Briefing
Date 05-09-2013
Author Elke BALLON
Policy area Area of Freedom, Security and Justice | Ex-ante Impact Assessment
Keyword visa policy | border control | Schengen Information System | biometrics | EU migration policy | area of freedom, security and justice | work permit | external border of the EU | discrimination on the basis of nationality | cooperation in home affairs
Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying its proposal for a Regulation of the European Parliament and of the Council establishing a registered traveller programme (COM (2013) 97), submitted on 28 February 2013. Prepared by the Ex-Ante Impact Assessment Unit for the Committee on Civil Liberties, Justice and Home Affairs (LIBE), it analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work.


Publication type Study
Date 04-09-2013
External author Laura Birkman, Eline van den Bosse, Ignacio Carreno, Achim Vogt, Kim Weistra, Wija Oortwijn
Policy area Environment | Food Safety | Ex-ante Impact Assessment
Keyword traceability | food safety | advertising | genetically modified organism | foodstuff | foodstuffs legislation | labelling | honey | economic indicator | environmental indicator
Summary Following the ruling by the Court of Justice of the European Union (CJEU) in the Bablok case, the European Commission proposes to clarify the status of pollen in honey and to define it as a natural constituent of honey rather than an ingredient, as decided by the CJEU. This has practical implications on European labelling, supervision and authorisation requirements for honey. In addition, it has potential economic, social and environmental implications. The European Commission proposal to change the status quo was not accompanied by an impact assessment. This substitute impact assessment provides an overview of the European honey industry and a legal analysis of a change in the status of pollen in honey. From this, the most important economic, social and environmental impacts are identified and presented.

Study EN
Third countries’ reciprocal access to EU public procurement: Detailed appraisal of the European Commission's Impact Assessment

Publication type: Briefing
Date: 22-07-2013
Author: Elke BALLON | Helmut WERNER

External author:
Authors of the Annexes:
Annex I - Methodological aspects, by Prof. Dr. Andrea Renda of the Centre for European Policy Studies
Annex II - Openness, job creation, administrative burdens, SMEs and thresholds, by Máté Péter Vincze
Annex III - SME related impacts, thresholds and national legislation, by Dr. Pedro Telles of Bangor University (UK)
Annex IV - Game theory considerations, by Prof. Nicola Dimitri of the Department of Political Economy and Statistics of the University of Siena (Italy)

Policy area: Ex-ante Impact Assessment | International Trade | Internal Market and Customs Union
Keyword: impact study | public contract | market protection | administrative formalities | drafting of EU law | job creation | trade agreement (EU) | EU market | protectionism | small and medium-sized enterprises | market access

Summary:
The Ex-ante Impact Assessment Unit of DG Parliamentary Research Services was requested by the INTA and IMCO Committees to provide a detailed analysis of the strengths and weaknesses of the European Commission’s Impact Assessment (IA) accompanying the proposal for a Regulation of the European Parliament and of the Council establishing rules on the access of third country goods and services to the European Union's internal market in public procurement and procedures supporting negotiations on of European Union goods and services to the public procurement markets of third countries. As part of this process, the Unit has commissioned four research papers, drafted by specialist experts, on various aspects of the Commission’s IA. They are authored by: Prof. Dr. Andrea RENDA, CEPS, who addresses the questions put forward by the INTA and IMCO Committees from a methodological point of view. Mr. Máté Péter VINCZE, MSc in Economics, who deals with the questions put forward by the INTA and IMCO committees, with a view to finding answers substantiated inter alia by data-mining in relevant databases. Dr. Pedro TELLES, Bangor University, UK, who focuses on impacts, thresholds and national legislation in respect to SMEs. Professor Dr. Nicola DIMITRI, University of Siena, Italy, who analyses reciprocity and retaliation questions, using a game theory approach. The experts were asked to provide an appraisal of the European Commission’s impact assessment, analyzing, commenting and possibly complementing it with regard to eight topics: Openness of EU public procurement market; Potential benefits of market opening; Impact on job creation of the different options; Risk of retaliation and leverage creation; Administrative burden of assessed options; Impact on SMEs; Justification of thresholds; Existing national legislation restricting access to public procurement markets.

Briefing EN

EU Trade Mark Regime: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 15-07-2013
Author: Elke BALLON

Policy area: Ex-ante Impact Assessment | Internal Market and Customs Union | EU Law: Legal System and Acts
Keyword: single market | impact study | registered trademark | approximation of laws | European Union Intellectual Property Office | product design | EU trade mark | designation of origin | trademark law | small and medium-sized enterprises

Summary:

Briefing DE, EN, FR

Space Surveillance and Tracking Support Programme: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 15-07-2013
Author: Joana Elisa MALDONADO

Policy area: Research Policy | Ex-ante Impact Assessment
Keyword: impact study | satellite | environmental monitoring | extra-atmospheric space | environmental risk prevention | space vehicle | remote sensing

Summary:
This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission’s Impact Assessment accompanying the proposal for a Decision of the European Parliament and of the Council establishing a space surveillance and tracking support programme (COM (2013) 107).

Briefing DE, EN, FR
Compendium of Initial Appraisals of European Commission Impact Assessments: June 2012 - June 2013

Publication type: In-Depth Analysis
Date: 15-07-2013
Policy area: Ex-ante Impact Assessment
Keyword: impact study | EU policy | drafting of EU law | documentary tool
Summary: The European parliament's Ex-Ante Impact Assessment Unit routinely screens the road-maps accompanying the European Commission's Work Programme, to check which of its legislative proposals will be subject to impact assessment by the Commission. It then undertakes an initial appraisal of these Commission impact assessments when they arrive in the Parliament, to check that certain criteria are met and to identify the basic methodological strengths and weaknesses of the texts. This is a compendium of such initial appraisals prepared by the Ex-Ante Impact Assessment Unit for different parliamentary committees. They analyse whether the principal criteria laid down in the Commission's Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the impact assessments accompanying Commission proposals. They do not attempt to deal with the substance of the proposal and are drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work.

The present volume is a compendium of all Initial Appraisals produced by the Ex-Ante Impact Assessment Unit in the period from June 2012 to June 2013.

In-Depth Analysis: EN

Conditions of Admission of Third-Country Students, Researchers, Volunteers, Trainees and Au Pairs:
Initial Appraisal of the Commission's Impact Assessment

Publication type: In-Depth Analysis
Date: 15-07-2013
Author: Alexia MANIAKI-GRIVA
Policy area: Area of Freedom, Security and Justice | Ex-ante Impact Assessment
Keyword: EU migration policy | area of freedom, security and justice | job access | EU programme | residence permit | admission of aliens | migrant worker | foreign national | research staff | foreign student
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the following proposal, submitted on 25 March 2013: Commission Proposal for a Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of research, studies, pupil exchange, remunerated and unremunerated training, voluntary service and au pairing, recasting and amending Directives 2004/114/EC of 31 December 2004 (the `Students directive') and 2005/71/EC of 12 October 2005 (the 'Researchers directive').

In-Depth Analysis: DE, EN, FR

Deployment of Alternative Fuels Infrastructure: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 14-06-2013
Author: Laura ZANDERSONE
Policy area: Ex-ante Impact Assessment | Transport | Energy
Keyword: energy grid | impact study | transport infrastructure | distributive trades | supply | substitute fuel
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the following proposal, submitted on 25 March 2013: Commission Proposal for a Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of research, studies, pupil exchange, remunerated and unremunerated training, voluntary service and au pairing, recasting and amending Directives 2004/114/EC of 31 December 2004 (the 'Students directive') and 2005/71/EC of 12 October 2005 (the 'Researchers directive').

Briefing: DE, EN, FR

Potential Impact on SMEs of Certain EP Amendments to Two Proposed Public Procurement Directives

Publication type: Study
Date: 14-06-2013
Author: Helmut WERNER
Policy area: Ex-ante Impact Assessment | Internal Market and Customs Union
Keyword: impact study | public contract | public authorities | amendment | subcontracting | small and medium-sized enterprises | proposal (EU)
Summary: This paper contains an assessment of a set of amendments proposed by the Internal Market and Consumer Protection Committee of the European Parliament to the new Public Procurement Directives. The paper first gives a high-level assessment of all proposals that were initially considered relevant from the perspective of SME's access, which is followed by a more detailed assessment of those amendments that are likely to have a significant impact on SMEs.

Study: EN
Insolvency Proceedings: Initial Appraisal of the Commission's Impact Assessment

Publication type Briefing
Date 15-05-2013
Author Elke BALLON
Policy area Area of Freedom, Security and Justice | Ex-ante Impact Assessment | Internal Market and Customs Union | Adoption of Legislation by EP and Council
Keyword impact study | judicial cooperation in civil matters in the EU | liquidation | composition | financial solvency | civil bankruptcy | competitiveness | jurisdiction | group of companies | small and medium-sized enterprises
Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for a revised Regulation on insolvency proceedings, submitted on 12 December 2012. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work.

Fourth Railway Package (EU Agency for Railways): Initial Appraisal of the Commission's Impact Assessment

Publication type Briefing
Date 15-05-2013
Author Laura ZANDERSONE
Policy area Ex-ante Impact Assessment | Transport | Internal Market and Customs Union
Keyword approximation of laws | European Union Agency for Railways | transport safety | competitiveness | transport market | technical regulations | rail transport | market access

Fourth Railway Package – Governance of the Railway Infrastructure: Initial Appraisal of the Commission's Impact Assessment

Publication type Briefing
Date 15-05-2013
Author Alexia MANIAKI-GRIVA | Joana Elisa MALDONADO
Policy area Ex-ante Impact Assessment | Transport | Internal Market and Customs Union
Keyword single market | transport infrastructure | cross-border cooperation | competitiveness | restriction on competition | transport market | rail transport | market access


Publication type Briefing
Date 15-05-2013
Author Laura ZANDERSONE
Policy area Ex-ante Impact Assessment | Transport | Internal Market and Customs Union
Keyword single market | award of contract | domestic market | liberalisation of the market | competitiveness | restriction on competition | transport market | carriage of passengers | rail transport
Protection of the Euro and Other Currencies against Counterfeiting: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 15-05-2013
Author: Alexia MANIAKI-GRIVA
Policy area: Area of Freedom, Security and Justice | Ex-ante Impact Assessment | Economics and Monetary Issues
Keyword: impact study | counterfeiting | fight against crime | judicial cooperation in criminal matters in the EU | paper money | euro | proposal (EU) | penalty
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the above proposal, submitted on 5 February 2013. The euro and other currencies continue to be targeted by organised crime groups active in forging money throughout the European Union. The importance and widespread use of the euro area - the second most traded currency in the world, shared by the 17 Member States and the 330 million people of the euro – make it particularly vulnerable to counterfeiting on a transnational scale.


Publication type: Briefing
Date: 15-05-2013
Author: Alexia MANIAKI-GRIVA
Keyword: money laundering | harmonisation law | application of EU law | law of banking | terrorism | European Commission | financial legislation

Manufacture, Presentation and Sale of Tobacco and Related Products: Initial Appraisal of the Commission's Impact Assessment

Publication type: In-Depth Analysis
Date: 15-05-2013
Author: Alina Alexandra GEORGESCU
Policy area: Ex-ante Impact Assessment | Internal Market and Customs Union
Keyword: impact study | distance selling | tobacco industry | illicit trade | marketing standard | market approval | labelling | electronic device | packaging | proposal (EU)
Summary: This note seeks to provide an initial appraisal of the European Commission's Impact Assessment accompanying its proposal for a Directive on the manufacture, presentation and sale of tobacco and related products, submitted on 19 December 2012. The Commission wishes to update existing Directive 2001/37/EC on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products (Tobacco Products Directive, TPD), by adjusting it to current developments and including so far uncovered areas. The revision of the TPD focuses on five policy issues: (1) smokeless tobacco products (STP) and extension of the product scope (nicotine containing products and herbal products for smoking), (2) packaging and labelling, (3) ingredients and additives, (4) cross-border distance sales, and (5) traceability and security features.
Product Safety and Market Surveillance Package: Initial Appraisal of the Commission's Impact Assessment

Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission’s Impact Assessment (IA) accompanying the proposals for a Regulation on consumer product safety and for a Regulation on market surveillance for products, the ‘Product safety and market surveillance package’, submitted by the Commission on 13 February 2013. The problem in need of EU intervention is described generally as ‘the existence of unsafe and non-compliant products circulating in the internal market, indicating a failure in the functioning of the legislative framework within which the internal market operates’. This note, prepared by the Impact Assessment Unit for the Committee on the Internal Market and Consumer Protection (IMCO), analyses whether the principal criteria laid down in the Commission’s own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal. It is drafted for informational and background purposes to assist the relevant parliamentary committee(s) and Members more widely in their work.

Assessing the Environmental Effects of Certain Public and Private Projects: Initial Appraisal of the Commission’s Impact Assessment

Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission’s Impact Assessment (IA) accompanying the proposal for a Directive on the assessment of the effects of certain public and private projects in the environment. This proposal itself deals with the process by which Environmental Impact Assessments (EIAs) are conducted. An EIA is defined as ‘the process of identifying, predicting, evaluating and mitigating the relevant environmental impacts from public or private projects, prior to decisions being taken and commitments made’.

Transatlantic Trade and Investment Partnership between the EU and the USA: Initial Appraisal of the Commission’s Impact Assessment

Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission’s Impact Assessment (IA) accompanying its proposal to the Council to authorise the opening of negotiations on a Transatlantic Trade and Investment Partnership between the European Union and United States of America, submitted on 12 March 2013. The European Union and the Unites States together account for about half of the world GDP (47%) and one third of global trade flows. They are each other’s main trading partners and enjoy the largest bilateral trade relationship in the world. On 13 February 2013, the EU and the US leaders decided to take their economic relationship to a higher level by agreeing to launch negotiations for a comprehensive trade and investment partnership, which will aim to go beyond the classic approach of removing tariffs and opening markets on investment, services and public procurement. According to the Commission, the successful conclusion of such an agreement, which would be the biggest bilateral trade and investment deal ever negotiated, could add 0.5% to the EU’s annual economic output.
Network and Information Security across the Union: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 15-04-2013
Author: Elke BALLON
Policy area: Ex-ante Impact Assessment | Internal Market and Customs Union | Consumer Protection
Keyword: impact study | computer crime | computer network | disclosure of information | environmental risk prevention | information system | data protection | electronic government | proposal (EU)
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for a Directive concerning measures to ensure a high level of network and information security across the Union. Network and Information Security (NIS) is defined as 'the ability of a network or an information system to resist, at a given level of confidence, accidental events or unlawful or malicious actions that compromise the availability, authenticity, integrity and confidentiality of stored or transmitted data and the related services offered by or accessible via these networks and systems' (IA, p. 6). The internet and other networks and information systems underpin services which support the functioning of our society and economy, for example public administration, finance and banking, energy, transport, health, as well, by definition, internet services like e-commerce platforms and social networks.

Monitoring Trade Between the Community and Third Countries in Drug Precursors: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 15-03-2013
Author: Helmut WERNER
Policy area: Ex-ante Impact Assessment | International Trade | Foreign Affairs
Keyword: impact study | stimulant | export monitoring | fight against crime | export licence | chemical product | drug traffic | pharmaceutical legislation | proposal (EU) | extra-EU trade
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for a Regulation amending Council Regulation (EC) No 111/2005 laying down rules for the monitoring of trade between the Community and third countries in drug precursors. Drug precursors are chemical substances that may be produced for licit purposes, but which can be misused for illegal drug production. A specific regulatory framework has been set up both at international level and within the EU to prevent the diversion of drug precursors to illicit drug production.

Drug Precursors: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing
Date: 15-03-2013
Author: Helmut WERNER
Policy area: Area of Freedom, Security and Justice | Ex-ante Impact Assessment | Internal Market and Customs Union
Keyword: impact study | fight against crime | illicit trade | chemical product | market supervision | intra-EU trade | drug traffic | proposal (EU)
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for a Regulation on drug precursors. Drug precursors are chemical substances that may be produced for licit purposes, but which can be misused for illegal drug production. A specific regulatory framework has been set up both at international level and within the EU to prevent the diversion of drug precursors to illicit drug production.
Occurrence Reporting in Civil Aviation: Initial Appraisal of the European Commission's Impact Assessment

Publication type: Briefing  
Date: 15-03-2013  
Author: Laura ZANDERSONE  
Policy area: Ex-ante Impact Assessment | Transport

Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the proposal for a Regulation of the European Parliament and the Council on occurrence reporting in civil aviation. 


An 'occurrence' in civil aviation is defined in Article 2(1) of Directive 2003/42/EC as 'an operational interruption, defect, fault or other irregular circumstance that has or may have influenced flight safety and that has not resulted in an accident or serious incident ...'. Directive 2003/42/EC requires each Member State to set up a mandatory occurrence reporting system. The reported occurrences are stored and sent to the European Central Repository (ECR).

Indirect Land-Use Change Related to Biofuels and Bioliquids: Initial Appraisal of the Commission's Impact Assessment

Publication type: Briefing  
Date: 15-03-2013  
Author: Alexia MANIAKI-GRIVA  
Policy area: Environment | Ex-ante Impact Assessment | Energy

Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for a Directive of the European Parliament and of the Council amending Directive 98/70/EC relating to the quality of petrol and diesel fuels and amending Directive 2009/28/EC on the promotion of the use of energy from renewable sources.

Community System for Registration of Carriers of Radioactive Materials: Initial Appraisal of the European Commission's Impact Assessment

Publication type: Briefing  
Date: 15-03-2013  
Author: Elke BALLON  
Policy area: Ex-ante Impact Assessment | Transport

Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for a Council Regulation establishing a Community system for registration of carriers of radioactive materials.

Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization in the Union: Initial Appraisal of the European Commission's Impact Assessment

Publication type: Briefing  
Date: 15-03-2013  
Author: Elke BALLON  
Policy area: Environment | Research Policy | Ex-ante Impact Assessment

Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its Proposal for a Regulation of the European Parliament and of the Council on access to genetic resources and the fair and equitable sharing of benefits arising from their utilization in the Union (COM (2012) 576).

Genetic resources are used for research and development purposes in many economic sectors, for example plant and animal breeding, food and beverage, pharmaceuticals and cosmetics.
Fluorinated Greenhouse Gases: Initial Appraisal of the Commission's Impact Assessment

Publication type Briefing
Date 15-03-2013
Author Elke BALLON
Policy area Environment | Ex-ante Impact Assessment
Keyword impact study | greenhouse gas | reduction of gas emissions | market approval | substitute product | proposal (EU)
Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for a Regulation on fluorinated greenhouse gases. Fluorinated gases or F-gases are very potent greenhouse gases, whose climate impact is up to 23,000 times higher than CO2. Currently they account for 2 per cent of greenhouse gases in the EU. F-gases are commodities used in a large variety of products and equipment, including refrigeration, air conditioning, insulation foams, electrical equipment, aerosols and fire protection (IA, p. 1). They are increasingly being used on a world-wide scale, as they have been developed by industry to replace ozone-depleting substances that are being phased out under the Montreal Protocol.


Publication type Briefing
Date 07-03-2013
Author Elke BALLON
Policy area Ex-ante Impact Assessment | Internal Market and Customs Union | Industry
Keyword impact study | approval | technical barrier | competitiveness | administrative formalities | market supervision | telecommunications equipment | small and medium-sized enterprises | electromagnetic interference
Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for a Directive on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment.

Maritime Equipment: Initial Appraisal of the European Commission's Impact Assessment

Publication type Briefing
Date 01-03-2013
Author Laura ZANDERSONE
Policy area Ex-ante Impact Assessment | Transport | Internal Market and Customs Union
Keyword simplification of legislation | impact study | approval | safety standard | competitiveness | vessel | market supervision | international standard | maritime safety | vehicle parts | small and medium-sized enterprises
Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the proposal for a Directive of the European Parliament and of the Council on marine equipment. The Proposal attempts to align the existing Marine Equipment Directive from 1996 (MED) with the New Legislative Framework (NLF) for the marketing of products.

Improving the Gender Balance Among Non-Executive Directors of Publicly Listed Companies: Initial Appraisal of the European Commission's Impact Assessment

Publication type Briefing
Date 15-02-2013
Author Alexia MANIAKI-GRIVA
Policy area Ex-ante Impact Assessment | Gender Issues, Equality and Diversity
Keyword impact study | recruitment | large business | job access | board of directors | female work | gender equality
Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for a Directive on improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures.
Clinical trials: Initial Appraisal of the European Commission's Impact Assessment

Publication type Briefing
Date 15-02-2013
Author Elke BALLON
Policy area Ex-ante Impact Assessment | Public Health
Keyword impact study | administrative formalities | experiment on humans | drug surveillance | proposal (EU) | pharmacology

Briefing DE, EN, FR


Publication type Study
Date 15-02-2013
External author Mitja Kovač
Policy area Ex-ante Impact Assessment | International Trade | Internal Market and Customs Union | Contract Law, Commercial Law and Company Law
Keyword impact study | sale | approximation of laws | transnational corporation | commercial transaction | economic statistics | intra-EU trade | commercial contract | regulation of transactions | contract
Summary In recent years, an extensive debate has evolved on the need for harmonisation of European sales law, with the existing diversity of contract laws in Member States being perceived as a barrier to trade and hence as burdensome for the European internal market. In November 2010 the European Commission commissioned a study supporting its Impact Assessment (IA) preparation on this matter. This report suggests that differences in contract law between Member States (MS) do create a barrier to trade, and the value of trade foregone each year between MS due to differences in contract law amounts to some tens of billions of euros.

The aim of this paper is to assess the robustness and validity of the method used by the Commission to calculate opportunity and transaction costs, as well as the soundness of the economic model applied to the assessment of policy options; and to assess the reliability of the Commission's assumptions in this respect and whether they can stand up to scrutiny.

Study EN

General Union Environment Action Programme to 2020: Initial Appraisal of the European Commission's Impact Assessment

Publication type Briefing
Date 14-02-2013
Author Alina Alexandra GEORGESCU
Policy area Environment | Ex-ante Impact Assessment
Keyword EU environmental policy | climate change policy | management of resources | environmental protection | drafting of EU law | sustainable development | EU programme | quality of the environment
Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the proposal for a Decision of the European Parliament and of the Council on a General Union Environment Action Programme to 2020. It does not attempt to deal with the substance of the proposal.

Briefing DE, EN, FR

Accessibility of Public Sector Bodies' Websites: Initial Appraisal of the European Commission's Impact Assessment

Publication type Briefing
Date 14-02-2013
Author Laura ZANDERSONE
Policy area Ex-ante Impact Assessment | Internal Market and Customs Union
Keyword access to information | Internet site | information technology user | web surfer | electronic government
Summary This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the proposal for a Directive on the accessibility of public sector bodies' websites (COM (2012) 721). Web-accessibility refers to principles and techniques for making websites accessible to all, especially people with functional disabilities and elderly people, and concerns websites and their content, web browsers, and assistive technologies.

Briefing DE, EN, FR
Impact Assessment of a Substantive Amendment to the Proposal for a Regulation on Ship Recycling

Publication type: Study
Date: 08-02-2013
Author: Alexia MANIAKI-GRIVA
Policy area: Environment | Ex-ante Impact Assessment | Internal Market and Customs Union
Keyword: shipbuilding | ship's flag | recycling technology | dangerous substance | environmental protection | occupational safety | vessel | international convention | hazardous waste | waste recycling
Summary: Qualitative and quantitative assessment shows that an amendment to create a levy on ships calling at EU ports and a fund to support safe and environmentally sound ship recycling would provide incentives for ships to retain EU flags; however, setup of this system would be complex, raising serious concerns that it may not be in place quickly to achieve objectives.

Fund for European Aid to the Most Deprived: Initial Appraisal of the European Commission's Impact Assessment

Publication type: Briefing
Date: 15-01-2013
Author: Alina Alexandra GEORGESCU
Policy area: Ex-ante Impact Assessment | Social Policy | Employment
Keyword: poverty | fund (EU) | distribution of EU funding | social integration | socioeconomic conditions | financing level
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the proposal for a Regulation of the European Parliament and of the Council on the Fund for European Aid to the Most Deprived.

Common European Sales Law - Detailed Appraisal by the EP Impact Assessment Unit of the European Commission's Impact Assessment

Publication type: In-Depth Analysis
Date: 15-01-2013
Author: Elke BALLON | Alexia MANIAKI-GRIVA
Policy area: Ex-ante Impact Assessment | Internal Market and Customs Union | Contract Law, Commercial Law and Company Law | Consumer Protection
Keyword: impact study | sale | consumer protection | approximation of laws | public consultation | intra-EU trade | producer's liability | commercial contract | contract | contractual liability
Summary: This note analyses the Impact Assessment (IA) accompanying the Commission Proposal for a Regulation on a Common European Sales Law from a methodological point of view, without dealing with the substance of the proposal. In general, the IA seems to respect the methodological requirements the Commission has imposed upon itself in its Impact Assessment Guidelines. The problems to be addressed by the proposed legislation are clearly explained, related to the underlying problem drivers and logically presented. The set of possible policy options is sufficiently wide and there is sufficient explanation of the baseline scenario. The Commission seems to have broadly consulted with stakeholders and presents stakeholder positions in the IA. It analyses a broad range of possible impacts for the policy options, with an emphasis on economic impacts (mainly administrative and transaction costs). The Commission attempts to make a quantitative estimation of the transaction costs, at the same time acknowledging that adequate quantitative data are not available. The transformation of the purely qualitative answers of economic operators in Eurobarometer studies and other surveys into quantitative estimations can be criticised as producing unreliable results.

Medical Devices and In-Vitro Medical Devices: Initial Appraisal of the European Commission's Impact Assessment

Publication type: In-Depth Analysis
Date: 15-01-2013
Author: Helmut WERNER
Policy area: Ex-ante Impact Assessment | Public Health
Keyword: medical research | impact study | medical device | safety standard | product safety | drafting of EU law | supervisory body | medical law | labelling | producer's liability
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the Commission proposals on Medical Devices and on In Vitro Medical Devices.
European Voluntary Humanitarian Aid Corps: Initial Appraisal of the European Commission's Impact Assessment

Publication type: Briefing
Date: 14-12-2012
Author: Alina Alexandra GEORGESCU
Policy area: Ex-ante Impact Assessment | Development and Humanitarian Aid
Keyword: civil defence | non-governmental organisation | financial management | EU financing arrangements | voluntary work | international voluntary worker
Summary: This note seeks to provide an initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the proposal for a Regulation of the European Parliament and the Council establishing the European Voluntary Humanitarian Aid Corps. Both the Council and the European Parliament have expressed strong support for such an initiative, reaffirming the key role of the Union in promoting volunteering.

Collective Rights Management: Initial Appraisal of the European Commission's Impact Assessment

Publication type: Briefing
Date: 15-11-2012
Author: Helmut WERNER | Elke BALLON
Policy area: Ex-ante Impact Assessment | Intellectual Property Law | Internal Market and Customs Union
Keyword: single market | Internet | data-processing law | audiovisual production | literary and artistic property | information technology applications | copyright
Summary: This note, prepared by the Impact Assessment Unit for the Committee on Legal Affairs, analyses whether the principal criteria laid down in the Commission's own Impact Assessment Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal.

Free-Trade Agreement between the European Union and Japan: Initial Appraisal of the European Commission's Impact Assessment

Publication type: Briefing
Date: 09-11-2012
Author: Alina Alexandra GEORGESCU
Policy area: Ex-ante Impact Assessment | International Trade
Keyword: World Trade Organisation | negotiation of an agreement (EU) | free-trade agreement | Japan | non-tariff barrier | tariff reduction | market access
Summary: Initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the proposal for a recommendation for the Council to open negotiations on a Free Trade Agreement between the European Union and Japan.

Access to and Preservation of Scientific Information: Initial Appraisal of the European Commission's Impact Assessment

Publication type: Briefing
Date: 08-11-2012
Author: Alexia MANIAKI-GRIVA
Policy area: Research Policy | Ex-ante Impact Assessment
Keyword: scientific research | access to information | approximation of laws | research and development | exchange of publications | scientific report
Summary: Initial appraisal of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the proposal for a Recommendation on access to and preservation of scientific information.
"Roadworthiness Package": Initial Appraisal of the European Commission's Impact Assessment

Publication type: Briefing
Date: 07-11-2012
Author: Elke BALLON
Policy area: Ex-ante Impact Assessment | Transport
Keyword: safety standard | road safety | data collection | exchange of information | roadworthiness tests | motor vehicle | vehicle parts | transport statistics
Summary: Initial analysis of the strengths and weaknesses of the European Commission's Impact Assessment accompanying the three proposals contained in its "Roadworthiness Package" communicated in July 2012.

Briefing DE, EN, FR

Reaching the 2020 Target to Reduce CO2 Emissions: Initial Appraisal of the European Commission's Impact Assessment

Publication type: Briefing
Date: 15-10-2012
Author: Alexia MANIAKI-GRIVA
Policy area: Environment | Ex-ante Impact Assessment | Transport
Keyword: clean technology | environmental standard | combustion gases | commercial vehicle | reduction of gas emissions | motor vehicle industry | EU emission allowance
Summary: Initial appraisal of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its proposals on defining the modalities for reaching the 2020 target to reduce CO2 emissions from new light commercial vehicles and passenger cars.

Briefing DE, EN, FR

Association of Overseas Countries and Territories with the European Union: Initial Appraisal of the European Commission's Impact Assessment

Publication type: Briefing
Date: 15-10-2012
Author: Alina Alexandra GEORGESCU
Policy area: Ex-ante Impact Assessment | Development and Humanitarian Aid
Keyword: impact study | project evaluation | overseas countries and territories | evaluation method | development aid | European Commission | association agreement (EU)
Summary: Initial appraisal of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its proposal for a Council Decision on the association of the Overseas Countries and Territories (OCTs) with the European Union.

Briefing DE, EN, FR

Deep-Sea Fisheries: Initial Appraisal of the European Commission's Impact Assessment

Publication type: Briefing
Date: 15-10-2012
Author: Alexia MANIAKI-GRIVA
Policy area: Ex-ante Impact Assessment | Fisheries
Keyword: project evaluation | authorised catch | data collection | evaluation method | marine environment | conservation of fish stocks | environmental protection | fishing area | common fisheries policy | fishing regulations

Briefing DE, EN, FR

Fight against Fraud to the Union's Financial Interest: Initial Appraisal of the European Commission's Impact Assessment

Publication type: Briefing
Date: 15-10-2012
Author: Helmut WERNER
Policy area: Area of Freedom, Security and Justice | Ex-ante Impact Assessment | Budgetary Control
Keyword: impact study | fight against crime | judicial cooperation in criminal matters in the EU | harmonisation law | EU competence | fraud against the EU
Summary: Initial appraisal of the strengths and weaknesses of the European Commission's Impact Assessment accompanying its proposal for a a Directive on the fight against fraud to the Union's financial interests by means of criminal law.

Briefing DE, EN, FR
Statutory Audits of Public Accounts and of Public-Interest Entities: Detailed Appraisal of the European Commission's Impact Assessment

Publication type: In-Depth Analysis
Date: 16-07-2012
Author: Alina Alexandra GEORGESCU | Elke BALLON
Policy area: Ex-ante Impact Assessment | Internal Market and Customs Union | Financial and Banking Issues
Keyword: impact study | principle of subsidiarity | restriction on competition | business morals | consolidated account | legal basis | audit | principle of proportionality | public institution | proposal (EU)
Summary: This note seeks to provide a detailed analysis of the strengths and weaknesses of the European Commission's Impact Assessment (IA) accompanying the proposal for a Directive of the European Parliament and of the Council amending Directive 2006/43/EC on statutory audits of annual accounts and consolidated accounts, and the proposal for a Regulation of the European Parliament and of the Council on specific requirements regarding statutory audit of public-interest entities (PIEs). It does not attempt to deal with the substance of the proposal, but rather analyses whether the impact assessment provided by the Commission will help the JURI Committee's consideration of the proposal, in full knowledge of the facts, and whether the impact assessment meets, firstly, the standards which the Commission has laid down in its internal Impact Assessment Guidelines, and, secondly, the quality criteria which the Parliament has defined in its resolutions on the subject.

Removal of Shark Fins on Board Vessels: Initial Appraisal of the European Commission's Impact Assessment

Publication type: Briefing
Date: 15-06-2012
Author: Helmut WERNER
Policy area: Environment | Ex-ante Impact Assessment | Fisheries
Keyword: project evaluation | protected species | protection of animal life | fishing vessel | sea fish

Comparative Study on the Purpose, Scope and Procedures of Impact Assessments Carried out in the Member States of the EU

Publication type: Study
Date: 16-05-2011
External author: Pawel Janowski, Giulia Peterlongo and Mariell Juhlin (Matrix Insight)
Policy area: Ex-ante Impact Assessment | EU Law: Legal System and Acts
Keyword: impact study | legislative procedure | legislation | drafting of EU law | deregulation | cost-benefit analysis
Summary: The study looks at the purpose, scope and procedures of impact assessments carried out in the Member States of the EU. It aims to draw examples of best practice to feed into the discussion concerning Regulatory Impact Assessment (RIA) at EU level. The study examines the EU RIA system, as well as RIA systems in eight Member States: Denmark, France, Germany, Hungary, Italy, Poland, the Netherlands, and the United Kingdom. It combines document review and interviews to analyse the context, scope, role in the policy cycle, methods, governance, and outcomes of RIA, as well as the theory and evolution of the RIA concept.

Ex-Ante Evaluation of the Proposed Alternative Investment Managers Directive

Publication type: Study
Date: 02-12-2009
External author: Andrew LILICO, Iona MCCALL and Maurizio CONTI (Europe Economics)
Policy area: Ex-ante Impact Assessment | Internal Market and Customs Union | Financial and Banking Issues
Keyword: single market | financial transaction | law of banking | capital movement | financial services | financial instrument | capital market | economic analysis | investment company
Summary: This Short Impact Assessment by Europe Economics builds on the Impact Assessment carried out by the European Commission to provide a quantitative assessment of the costs and benefits associated with the so-called “AIFM Directive”. It considers the rationale for intervention in the AIFM sector, as well as alternative approaches for regulation.
Analysis of the Commission's Impact Assessment of the Proposed Alternative Investment Managers Directive

Publication type: Study
Date: 15-10-2009
External author: Andrew LILICO (Europe Economics), Jonathan TODD (Europe Economics) and Maurizio CONTI (University of Genoa)
Keyword: investment policy | third country | financial market | banking profession | law of banking | business morals | financial legislation | marketing
Summary: This analysis by Europe Economics considers the adequacy of the European Commission’s Impact Assessment concerning the so-called “AIFM Directive”. It considers impacts, objectives and alternative approaches, particularly in respect of marketing and distribution; third country issues; depositaries; and leverage, having first considered the rationale for intervention across these four areas.

Prudential Supervisory Arrangements and Financial Crises - A Critique of the European Commission's Impact Assessment on the Revision of the CRD

Publication type: Study
Date: 15-07-2009
External author: Europe Economics (London, UK)
Policy area: Ex-ante Impact Assessment | Economics and Monetary Issues | Financial and Banking Issues
Keyword: economic recession | exchange of information | credit policy | banking supervision | financial services | financial requirements
Summary: This document was commissioned by the European Parliament's Committee on Economic and Monetary Affairs (ECON). It is a quick critique, conducted over a four week period, of those sections of the European Commission’s Impact Assessment (hereafter “the IA”) on the revisions to the Capital Requirements Directives that relate to home-host issues and crisis management.

Workshop on CRD Revision in the Light of the Financial Crisis - Presentations, Briefing Notes and Impact Assessment

Publication type: Study
Date: 14-11-2008
Policy area: Ex-ante Impact Assessment | Economics and Monetary Issues | Financial and Banking Issues
Keyword: financial market | market stabilisation | exchange of information | financial institution | banking system | anti-crisis plan | financial legislation | banking supervision | financial requirements | liquidity control
Summary: This workshop was held to obtain from a broad spectrum of experts both academic and from industry, views on the Commission proposal to review the Capital Requirements Directive (CRD). The ECON committee also requested an Impact Assessment on the Commission’s Impact assessment on the proposed changes as well as a series of briefing papers on different topics regarding the proposed changes in CRD. All of these are to be found within the compilation.

Impact assessment of recycling targets in the waste framework directive

Publication type: In-Depth Analysis
Date: 27-05-2008
External author: Mr. Christian Jervelund
Mr. Simen Karlsen
Mr. Marcin Winiarczyk
Mr. Claus Petersen (Econet A/S)
Copenhagen Economics A/S
Sankt Annæ Plads 13, 2
1250 Copenhagen K
Policy area: Environment | Ex-ante Impact Assessment | Industry
Keyword: industrial waste | waste recycling | domestic waste
In-Depth Analysis: EN
**WORKSHOP Assessing the Commission’s Impact Assessment on the “Communication on Water Scarcity and Droughts” Consolidated texts**

**Publication type**  
In-Depth Analysis  

**Date**  
25-02-2008

**External author**  
Govert Geldof (TAUW Consulting, NL), Philipp Schepelmann, Lena Partzsch (Wuppertal Institute, DE)  
Alan Gustard (The Evaluation Partnership, UK)

**Policy area**  
Environment | Ex-ante Impact Assessment

**Keyword**  
exploitation of resources | water management | water supply | drought

**Summary**  
A workshop was organised on the Impact Assessment on the "Commission’s Communication on Water Scarcity and Droughts". This was held in the context of an ENVI report currently drafted by MEP Richard SEEBER (EPP-ED) on the abovementioned Communication published by the European Commission on 18 July 2007. A panel of 3 experts analysed and debated the Commission’s presentation and subsequently answered Members’ questions about the different policy options presented in the Impact Assessment. This workshop could be considered a pilot project as it was the first one to be exclusively focused on the Commission’s Impact Assessment. In the past, previous experiences brought the European Commission to present impact assessment on ENVI dossier during the meetings of the Environment, Public Health and Food Safety Committee. However, no real debate took place as no real challenge was made on the Impact Assessment. The panel of three experts was invited to give their own critical and complementary evaluations of Commission’s Impact Assessment in terms of methodology, terminology, and policy conclusions.

In-Depth Analysis  
EN

---

**Impact assessment on priority substances in water**

**Publication type**  
Study

**Date**  
19-02-2008

**External author**  
Andrew Lilico, Dermot Glynn  
Europe Economics  
Chancery House  
53-64 Chancery Lane  
London WC2A 1QU

**Policy area**  
Environment | Ex-ante Impact Assessment

**Keyword**  
chemical pollution | water supply | toxic substance | water pollution | public health | environmental impact | water pollutant

Study  
EN

---

**Impact Assessment on Nutrition and Health Claims Made on Foods Claims Referring to Children’s Development and Health**

**Publication type**  
In-Depth Analysis

**Date**  
22-11-2007

**External author**  
Ms Janne Sylvest  
Mrs Benita Kidmose Rytz  
Ramboll Management  
Nørregade 7A  
DK – 1165 Copenhagen K  
DENMARK

**Policy area**  
Food Safety | Ex-ante Impact Assessment | Consumer Protection | Public Health

**Keyword**  
consumer protection | food industry | child protection | foodstuffs legislation | labelling | health risk | nutritional disease

In-Depth Analysis  
EN

---

**Impact Assessment of Certain Aspects of the Working Time Directive**

**Publication type**  
Study

**Date**  
09-07-2007

**External author**  
Terence Hogarth  
Simonas Vileikis  
Ramboll Management  
Nørregade 7A  
DK-1165 Copenhagen K

**Policy area**  
Ex-ante Impact Assessment | Employment | EU Law: Legal System and Acts

**Keyword**  
simplification of legislation | working time | opt-out clause | administrative formalities | occupational safety

Study  
EN

Publication type: Study
Date: 04-12-2006

External author: Catherine Bowyer (IEEP), Peter Hjerp (IEEP) and Alexander Neubauer (Ecologic)

Policy area: Environment | Ex-ante Impact Assessment

Keyword: safety standard | environmental protection | hazardous waste | waste recycling | scientific report

Summary: The current waste framework Directive (WFD) was originally adopted in 1975 and has been amended many times. In December 2005, the European Commission adopted the Thematic Strategy on waste prevention and recycling, which was accompanied by a proposal to amend the waste framework Directive (herein referred to as the DoW), which is fundamental to the implementation of many ideas put forward in the Strategy. Annexed to both the Strategy and legislative proposal was an Impact Assessment of both the Thematic Strategy and its immediate implementing measures (IA). The proposed DoW would update the text of the WFD considerably, adding important new provisions and integrating requirements previously dealt with by the hazardous waste Directive (HWD) and the waste oils Directive (WOD). The proposed DoW would replace both of these Directives, as well as the WFD. The aim of this report was to undertake an assessment for the European Parliament of the following two aspects of the proposed DoW:

- The IA of the proposed DoW;
- Selected potential changes to hazardous waste law resulting from the integration of the HWD into the proposed DoW.

These are addressed, respectively, in Part I and Part II of this report.

Study EN

Inclusion of Social Elements in Impact Assessment

Publication type: Study
Date: 16-01-2006

External author: Chiara Crepaldi (co-ordinator) and Barbara Da Roit, in collaboration with Claudio Castegnaro, Stefano Cima, Ivana Fellini, Andrea Forti, Daniela Oliva, Flavia Pesce under the scientific direction of Emanuele Ranci Ortigosa (Istituto per la Ricerca Sociale, Milano, Italy)

Policy area: Ex-ante Impact Assessment | Social Policy | Employment

Keyword: social impact | impact study | social indicator | research method

Summary: The study reviewed if and how social elements are taken into account in Impact Assessments (IA) carried out by the European Commission before adopting legal acts and important communications to consider the effects of policy proposal in the economic, social and environmental dimensions. Quite a few Impact Assessments did not or only marginally consider social elements. Many IA cases are based on general statements and shared assumptions concerning the relations between a set of social and economic elements, without any identification of possible social indicators able to describe the impacts expected. The impacts described in the IA rarely appear “specific, measurable, accepted, realistic and time-dependent”; statistical data, evaluation reports from previous or similar programmes are not systematically used by the IA.

Study EN

Impact assessment study on Parliament’s amendments to a Commission proposal on nominal quantities for pre-packed products

Publication type: Study
Date: 01-09-2005

External author: Ergo Communications (London, UK)

Policy area: Ex-ante Impact Assessment | Consumer Protection

Keyword: consumer protection | marketing standard | weights and measures | packaged product | pre-packaging

Summary: The European Commission presented a proposal for a Directive laying down rules on nominal quantities for pre-packaged products (COM 2004/708), in which it proposes to abolish existing pack size ranges for most (liquid and non-liquid; food and non-food) pre-packaged products. Only for very few products, are ranges maintained for a transitional period, after which ranges are to be automatically abolished. The European Parliament (EP), while in principle agreeing with the European Commission’s liberalisation approach, tends to believe that mandatory pack size ranges should continue to apply to certain “basic products”. The EP thinks that the European Commission’s impact assessments – which led the latter to favour the liberalisation scenario – did not sufficiently take into account the impacts of this policy option on consumers (in particular vulnerable consumers) and small and medium sized enterprises (SME).

The EP has therefore commissioned this impact assessment, the objective of which is to enable the Honourable Members to fully understand the positive and negative impacts (costs and benefits) – in economic, social and environmental terms – of their favoured policy option and of the amendments they have tabled in first reading (at the committee stage), and to gain insight into alternative policy choices (full liberalisation; no change scenario). The impact assessment model used in this study has been developed to enable a holistic, balanced view of the impacts on consumers and manufacturers under a full liberalisation scenario, following the request of the Honourable Members to provide them with a ‘synthetic picture’ and reflecting their specific needs by being short, concise and easily accessible but at the same time comprehensive.

Study EN
The problems of over-regulation, the doubtful quality of the laws and the economic obstacles that arise in consequence are increasingly the subject of debate. This is also true of European Community legislation. Financial, economic, fiscal, social and environmental consequences - to name only a few - should therefore be known and taken into account before new legislation is adopted. Therefore systematic Regulatory Impact Analyses (RIA) should help to determine probable consequences and side-effects of new draft legislation. Existing legislation shall be checked with regard to its performance or efficiency in the practical application.

In this context RIA means the procedures for the determination and the comparative evaluation of effects which the intended legislation might have or which the existing legislation has. In presenting a synopsis of the RIA methods and systems in an international perspective this report does not claim to treat the complex subject in an exhaustive manner.

Study DE, EN, FR