

EUROPEAN COMMISSION LAUNCHES REFORM OF EU POLICY-MAKING PROCESS

Date: 26 May 2015

Public Policy and Law Alert

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The European Commission's new Better Regulation Agenda creates new opportunities for industry involvement in influencing draft legislation and strengthens the role of business and civil society in the preparation and review of EU legislation.

Last week the European Commission's First Vice-President Frans Timmermans, in charge of Better Regulation, presented the Commission's new Better Regulation Agenda ("the **Agenda**"). The Agenda aims to increase openness and transparency in the European Union ("EU") decision-making process, improve the quality of new legislation through better impact assessments of draft legislation and amendments, and promote regular and consistent review of existing EU laws. It introduces comprehensive reforms in the internal regulatory drafting process within the European Commission ("EC"); however, to be fully effective it will require full cooperation from the two legislative bodies, the European Parliament ("EP") and the Council.

A key objective of the reform is to further open the EU policy-making process to public scrutiny and input, both for primary and "secondary" legislation. The EC proposes to establish public consultation periods of 4 weeks for draft delegated acts and important implementing acts before adoption. This in addition to the 8 weeks available to stakeholders at the beginning of the legislative process to provide feedback on new Commission's proposals.

This will enhance opportunities for industry involvement in influencing draft legislation and implementing rule-making, in particular as regards secondary legislation.

The Agenda also aims to strengthen tools and processes to assess existing EU legislation to make it less burdensome and more effective, including with the enhanced use of cost-benefit analyses. Moreover, plans to create a platform bringing together experts from business, civil society and social partners will provide stakeholders with more opportunities to suggest reductions in regulatory and administrative burdens. This means that more existing laws might be amended or scrapped going forward.

Another important element of the plan is to improve the Commission's impact assessment system with the creation of a new independent Regulatory Scrutiny Board and for all EU institutions to conduct impact assessments throughout the legislative process if necessary. The latter proposal might slow down the rule-making process in some cases, and is likely to further enhance the role of external experts in the preparation of impact assessments in the framework of the technical and independent analysis of specific amendments.

The EC will now enter negotiations with the EP and the Council to reach an Interinstitutional Agreement ("IIA") and get their common commitment by the end of 2015 on impact assessments, monitoring and review of EU law, and coordinated legislative planning.

USEFUL LINKS

- [Vice President Timmerman's press conference](#)
- [The Better Regulation Package](#)
- [The European Commission Communication 'Better regulation for better results - An EU agenda'](#)
- [The European Commission Proposal for an Interinstitutional Agreement on Better Regulation](#)

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