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**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN  
PARLIAMENT AND THE COUNCIL**

**Action Programme for Reducing Administrative Burdens in the EU  
Sectoral Reduction Plans and 2009 Actions**

**ANNEX**

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**ANNEX A:**  
**METHODOLOGY AND MAIN LESSONS FROM THE EU BASELINE MEASUREMENT EXERCISE**

**1. METHODOLOGY USED FOR ASSESSING THE BASELINE MEASUREMENT AND SUBSEQUENT CHANGES**

The EU baseline measurement and the assessment of subsequent changes in terms of administrative burdens are based on the EU "Standard Cost Model" as defined in Annex 10 of the "Impact Assessment Guidelines"<sup>1</sup>.

Legal rules impose costs (financial, substantive and administrative) and bring benefits of different types. For businesses, complying with legislation could mean having to (1) make direct payments, mainly to the public authorities; (2) change the nature of their products and/or production processes – mainly in order to meet new economic, social or environmental standards, and (3) provide information. The first type of obligation (having to pay taxes or duties) entails “financial costs”<sup>2</sup>. The second type of obligation (having to meet a new air pollution threshold) leads to “substantive or generic costs”. The third type (having to keep a register of pollutant emissions) results in “administrative costs”<sup>3</sup>.

Definition of administrative costs and administrative burdens

The focus here was on the administrative costs placed on businesses. Administrative costs are defined as the costs incurred by businesses in meeting legal obligations to provide information on their action or production, either to public authorities or to private parties. Information is to be construed in a broad sense, i.e. including labelling, reporting, registration, monitoring and assessment needed to provide the information. In some cases, the information has to be transferred to public authorities or private parties. In others, it only has to be available for inspection or supply on request. Recurring administrative costs and, where significant, one-off administrative costs have been taken into account.

The EU SCM focuses on recurring administrative costs, i.e. those that the businesses constantly have in complying with the information obligations. These costs may arise at regular intervals, e.g. with VAT returns, or at irregular intervals, e.g. when a firm applies for an export subsidy. These are also called situation-determined costs. By convention, costs that a business has when complying with existing legislation for the first time (e.g. as a consequence of increased turnover or expansion with new areas of activity) are subsumed into recurring costs. One-off costs, i.e. costs that are only sustained once as businesses adapt to new or amended legislation coming into force, were normally not be taken into account.

The administrative costs consist of two different cost components: the business-as-usual costs and administrative burdens. While the **business-as-usual costs** correspond to the costs resulting from collecting and processing information which would be done by an entity even in the absence of the legislation, the administrative burdens stem from the part of the process which is done solely because of a legal obligation.

Core equation of the EU SCM

Administrative costs have been assessed on the basis of the average cost of the action required by the information obligation (Price) multiplied by the total number of activities performed per year (Quantity). The average cost per action has generally been estimated by multiplying a tariff (based on average labour cost per hour including prorated over-heads) and the time required per action. Where appropriate, other types of costs such as outsourcing, equipment or supplies’ costs have been taken into account. The quantity was calculated as

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<sup>1</sup> [http://ec.europa.eu/governance/impact/index\\_en.htm](http://ec.europa.eu/governance/impact/index_en.htm).

<sup>2</sup> For instance, paying Valued Added Tax is a financial cost, while providing information on VAT transactions is an administrative cost.

<sup>3</sup> Keeping a register of pollutant emissions is an administrative cost, while action taken to meet an air pollution threshold is not. The latter type of compliance cost is sometime referred to as a ‘substantive cost’ because the obligation affects the essence of the (industry) activity. Keeping a register does not entail in itself any obligation to change the production process, the nature of the end-products or the treatment of emissions. Meeting the pollution threshold will require a substantive change at these levels (for instance the installation of new filters).

the frequency of required actions multiplied by the number of entities concerned. The core equation of the SCM is as follows:

$$\Sigma P \times Q$$

where P (for Price) = Tariff x Time and

Q (for Quantity) = Number of businesses x Frequency

The EU SCM assumes that all businesses concerned are following all the rules (full compliance). It is indeed easier and more reliable to assess the total population concerned than the actual number of businesses that observe a rule<sup>4</sup>.

#### EU baseline measurement

The EU baseline measurement assesses the level of administrative burdens at the start of the legislature (for practical reasons, it is set to 1<sup>st</sup> January 2005). It covers 72 EU legal acts, including national measures implementing or transposing this legislation. These acts are assumed to impose 80 % of AB stemming from EU information obligations.

This assessment is based on field research in 6 different Member States for each priority area (more than 3000 interviews and workshops with businesses and business organizations conducted in all Member States), on results from national baseline measurements and on econometric modelling. Data collected, retrieved and extrapolated have been reviewed by experts (considering the level of detail and the number of parameters concerned, it would not have been cost-efficient to aim at statistically valid results). The final result helps to understand problems with existing burdens and assess what has been reduced in relative terms

#### Monitoring changes in the level of administrative burdens

The sectoral reduction plans are reporting on changes in the level of administrative burdens resulting from action taken by EU public authorities to lighten costs stemming from existing information obligations.

Therefore, in order to ensure proper monitoring of the specific impact of these actions, the figures below don't credit the EU and its Member States for changes in the level of AB resulting from other factors such as an economic recession<sup>5</sup>; business learning curve<sup>6</sup> or the amortization of one-off costs<sup>7</sup>. The figures below don't account either for other types of actions taken to minimise AB such as a moratorium on the introduction of new information obligations (which by definition does reduce existing costs) or the benefits, often very significant for businesses, of the introduction of the principle of mutual recognition<sup>8</sup>.

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<sup>4</sup> This assumption means that if 100 000 enterprises are subject by legislation to an information obligation, this number is also taken as the basis for a projection. No assumption is made as to how many enterprises unlawfully evade the information obligation.

<sup>5</sup> If, all other things being equal, the number of businesses having to comply with an obligation goes down, the overall level of AB will go down as well; the same goes if the number of transactions - import and export - diminishes ..

<sup>6</sup> Businesses often internalise existing obligations in their processes and learn how to comply with them more cheaply; in some cases they even use the equipment bought / data collected for legal reasons to better manage their day to day business (cf. truck companies using digital tachographs as a tool for human resources management).

<sup>7</sup> By definition one-off costs are exposed only once usually when a new system is put in place. Such reduction in the level of AB is not the result of the simplification of the system but of a mechanical effect.

<sup>8</sup> Cf. For example, the use of mutual recognition could significantly reduce administrative burdens for manufacturers and ship owners. Until now, each national certifying body could force equipment manufacturers to undergo the same testing and certification procedure even if that item had been certified by another recognised organisation against the same standards (see Transport Sectoral Reduction Plan below for details). The absence of harmonisation cannot (barring very rare exceptions) be the consequence of EU legislation. The cost of non-harmonisation is shown up in national measurements of information obligations of purely national origin. In the example of maritime certificates, the implementation of the principle of mutual recognition will lead to a reduction of the number of certificates delivered in Member States, and will affect the evolution of administrative costs at the national level. This is one of the reasons why the Commission proposed, in January 2009 (COM(2009)16) to agree principles for monitoring the evolution of the AB situation in the Union. The total burden is the sum of all

The "change in the level of AB" takes into account all changes introduced by EU institutions. In some cases, for instance financial services, the Commission proposed to suppress some obligations while introducing new ones; the figures provided below indicated the net impact of these reductions and increases; in a few cases, there is a net increase; the figure is then preceded by a "+".

The figures below correspond to the expected impact on administrative burdens in the EU as a whole and refer to a "reduction potential". In other words, it is assumed that possibilities offered to Member States and businesses are used to the full, and that national gold plating is completely suppressed. These figures are 'estimates' based on background studies made for the Commission between 2007 and 2009 ([http://ec.europa.eu/index\\_en.htm](http://ec.europa.eu/index_en.htm)).

The presentation of the measures in each Sectoral Reduction Plan follows the thematic order used in previous Communications (COM(2007)23 and COM(2009)16) and in the background studies.

## 2. MAIN LESSONS FROM THE EU BASELINE MEASUREMENT

- *A very high proportion of administrative burdens stem from few information obligations belonging to a couple of policy areas.* The two most important priority areas (Taxation and Company Law) account for more than 80 % of the total burden measured. The ten most important information obligations overall account for more than 77 % of the total burden. The same holds for the top five information obligations in each priority area. This confirms earlier findings of national baseline measurements (20 % of information obligations often impose approximately 80 % of the burden). It justifies retrospectively the decision to start measurement efforts with the current priority areas.
- *The number of enterprises affected, combined with the frequency of the information provision, is the main driver behind total costs of an information obligation.* This especially explains the relatively high costs of the VAT and accounting information obligations which apply to a much greater number of enterprises than the obligations in other areas (26 million taxable persons for VAT and 7 million limited liability companies affected by the accounting rules, compared for example to less than 25 000 masters of Community fishery vessels). The costs per company play a lesser role for the overall burden of an information obligation. Any reduction in high cost-per-company burden is however perceived more intensively by the enterprise affected.
- *There are wide variations among priority areas in the share of administrative costs corresponding to "business-as-usual" costs.* While for many information obligations this share is 0 %, implying that the information provision is of no commercial purpose for the enterprise, the share can go up to as high as 100 %. The latter case is especially common when the policy is notably drafted to harmonize commercial activities (e.g. to make the annual accounts comparable between enterprises) or when the legal obligations reflect the approach that a prudent business would pursue anyway (e.g. banks evaluating financial risks).
- *The degree to which an information obligation is perceived by business as irritating (irritation factor) is largely uncorrelated to the administrative burdens imposed.* The irritation factor depends on the acceptance of the policy objective, on the perceived usefulness of the information for the policy objective, the integration of the legal requirements into the business processes and the ease of interaction with the respective authorities. This finding implies that the irritation factor is a poor indicator when prioritising efforts on measures aimed at bringing economic relief. The reduction efforts will however only be perceived as successful if the perceived burden is reduced as well.
- *The same obligation imposes on average higher burden on small and medium-sized enterprises (SME).* SME face in many cases higher costs per occurrence as their small size prevents them from fully realizing the benefits of using information technology or specialized in-house knowledge for complying with information obligations. Reduction efforts need therefore give special emphasis to reducing the burden on SME. Moreover, insofar as SMEs represent more than 95 % of the total number of enterprises, the "Think-Small-First" Principle should be systematically applied when designing information obligations.
- It is estimated that 32 % of administrative burdens of EU origin could be the result of the decision of some Member States to go beyond what is required by EU legislation (gold-plating) and of the inefficiency in the

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European and national burdens. The transfer of competences or obligations from one level to the other can appear as an increase of the cost, when there is an overall reduction at the consolidated level.

administrative procedures put in place at national level. In many cases the EU information obligations leave a large margin to Member States on how to implement them in practice. Significant differences in the costs per occurrence between Member States point at areas where reduction benefits can be achieved by learning from the Member States with the most efficient practices.

## ANNEX B:

### SECTORAL PLANS FOR REDUCING ADMINISTRATIVE BURDENS – OVERVIEW

The present annex gives an overview of reduction measures adopted, proposed or under preparation in each of the 13 priority areas. More detailed information on each entry can be found in Annex C.

It is worth noting that the reduction of administrative burden did not start with this legislature. Ten reduction measures adopted by Parliament and Council between 2005 and 2009 have their origin in a legislative proposal tabled by the previous Commission. This Commission however started its mandate by screening pending proposals. It decided to maintain these 10 proposals and defended them throughout the legislative deliberation. These measures concern the following priority areas: Agriculture/Agricultural Subsidies, Annual Accounts/Company Law, Financial Services, Fisheries, Statistics, Taxation/Customs, and Transport. They are marked by "\*\*\*". Their reduction potential amounts to EUR 6.8 billion.

*\* Absolute figures are in million euros; percentages per item relate to the burden of the legal act; percentages per sector relate to the burden of the sector (percentages per sector are normally not the sum of the percentages per item). Slight discrepancies between the sectoral totals here and in table 2 are caused by the rounding of figures.*

| Priority Area - Agriculture / Agricultural Subsidies   | Adopted                   |        | Proposed                  |   | Under preparation         |   |
|--|---------------------------|--------|---------------------------|---|---------------------------|---|
|  | Change in the level of AB |        | Change in the level of AB |   | Change in the level of AB |   |
| Simplifying formalities for farmers benefiting from the "Single Payment Scheme" (part of the 'Health Check') | -250.0                    | -11 %  |                           |   |                           |   |
| Reducing farmers' book-keeping and inspection costs stemming from "cross-compliance" obligations             | -5.5                      | -0.2 % |                           |   |                           |   |
| Reducing the number of agricultural products for which a licence is necessary                                | -6.0                      | -50 %  |                           |   |                           |   |
| Simplifying egg labelling  | -606.7                    | -76 %  |                           |   |                           |   |
| Reducing inspection costs stemming from marketing standards for fruits and vegetables                        | -973.7                    | -44 %  |                           |   |                           |   |
| Suppressing administrative burdens linked to special support schemes (part of the 'Health Check')            | -28.0                     | -100 % |                           |   |                           |   |
| Reducing information obligations for payments to farmers by abolishing the 10-month-rule                     | -21.5                     | -1 %   |                           |   |                           |   |
| Increasing the tolerable risk of errors for funds used in rural development                                  |                           |        |                           |   |                           |   |
| Sectoral Total   | -1 891.4                  | -36 %  |                           |   |                           |   |
|  | Total:                    | 7      | Total:                    | 0 | Total:                    | 1 |



| Priority Area - Annual Accounts / Company Law   | Adopted                    |         | Proposed                   |       | Under preparation          |   |
|---|----------------------------|---------|----------------------------|-------|----------------------------|---|
|   | Change in the level of AB* |         | Change in the level of AB* |       | Change in the level of AB* |   |
| Allowing more small and medium sized companies to benefit from simplified accounting/auditing regimes       | -862.6                     | -8 %    |                            |       |                            |   |
| Limiting the amount of information in the notes to the accounts for medium sized enterprises ...            | -8.2                       | -0.01 % |                            |       |                            |   |
| Simplifying the obligations related to changes to the capital of public limited liability companies         | -150.0                     | -15 %   |                            |       |                            |   |
| Abolishing the obligation to provide an independent expert's report on merger or division in case of waiver | -170.1                     | -26 %   |                            |       |                            |   |
| Simplifying the reporting requirements in case of a merger or division                                      | -172.0                     | -26 %   |                            |       |                            |   |
| Allowing Member States to exempt micro-enterprises from accounting directives                               |                            |         | -6 300.0                   | -56 % |                            |   |
| Simplifying the publication and translation of financial information  |                            |         | -611.6                     | -4 %  |                            |   |
| Modernizing EU accounting directives through a general overhaul   |                            |         |                            |       |                            |   |
| Simplification of reporting of companies in the form of a Societas Europaea (SE)                            |                            |         |                            |       |                            |   |
| Sectoral Total  | -1 362.9                   | -9 %    | -6 911.6                   | -47 % |                            |   |
|   | Total:                     | 5       | Total:                     | 2     | Total:                     | 2 |

| Priority Area - Cohesion Policy   | Adopted                   |      | Proposed                  |  | Under preparation         |  |
|---|---------------------------|------|---------------------------|--|---------------------------|--|
|   | Change in the level of AB |      | Change in the level of AB |  | Change in the level of AB |  |
| Reducing administrative burdens for projects (co)financed by EU structural funds and regarded as revenue-generating | -18.4                     | -2 % |                           |  |                           |  |
| Simplifying the management/control of operations co-financed by the ESF and the ERDF                                | -45.8                     | -5 % |                           |  |                           |  |
| Simplifying and clarifying general provisions on the ERDF, ESF and the Cohesion Fund                                | -33.4                     | -4 % |                           |  |                           |  |

|  |        |       |        |      |        |      |
|--|--------|-------|--------|------|--------|------|
| Providing guidance and training on control and audits of Structural Funds                                      | -20.0  | -2 %  |        |      |        |      |
| Facilitating, simplifying and clarifying certain general provisions on the ERDF, ESF and the Cohesion Fund ... |        |       | -50.0  | -5 % |        |      |
| Developing, at national/regional level, central clearing houses for Cohesion Policy reporting                  |        |       |        |      | -55.0  | -6 % |
| Sectoral Total   | -117.6 | -13 % | -50.0  | -5 % | -55.0  | -6 % |
|  | Total: | 4     | Total: | 1    | Total: | 1    |

| Priority Area - Environment  | Adopted                   |        | Proposed                  |       | Under preparation         |   |
|--|---------------------------|--------|---------------------------|-------|---------------------------|---|
|  | Change in the level of AB |        | Change in the level of AB |       | Change in the level of AB |   |
| Simplifying procedures for controlling waste shipments   | -3.6                      | -3 %   |                           |       |                           |   |
| Simplifying the regime for integrated pollution prevention and control   |                           |        | -32.0                     | -12 % |                           |   |
| Harmonize nat. information obligations on waste electrical/electronic equipment and ensure register interoperability |                           |        | -66.0                     | -57 % |                           |   |
| Streamlining reporting obligations on substances depleting the ozone layer   |                           |        | -0.5                      | -25 % |                           |   |
| Simplifying authorisation procedures for the placing of biocidal products on the market                              |                           |        | -140.0                    | -25 % |                           |   |
| Improving coordination between IPPC and Seveso inspections by national authorities (legislative proposal)            |                           |        | ...                       | ...   |                           |   |
| Improving coordination between IPPC and Seveso inspections by national authorities (implementing provisions)         |                           |        |                           |       |                           |   |
| Encouraging Member States to update IPPC permits rather than demanding their renewal                                 |                           |        |                           |       |                           |   |
| Simplifying and streamlining the notification system for shipments of waste  |                           |        |                           |       |                           |   |
| Introducing online systems through which treatment facilities can issue vehicle destruction certificates             |                           |        |                           |       |                           |   |
| Sectoral Total   | -3.6                      | -0.3 % | -238.5                    | -20 % |                           |   |
|  | Total:                    | 1      | Total:                    | 5     | Total:                    | 4 |

| Priority Area - Financial Services  | Adopted                                |       | Proposed                               |       | Under preparation                      |   |
|---|--|-------|--|-------|--|---|
|   | Change in the level of AB <sup>*</sup> |       | Change in the level of AB <sup>*</sup> |       | Change in the level of AB <sup>*</sup> |   |
| Revising capital and solvency requirements for credit institutions  | 16.7                                   | 9 %   |  |       |  |   |
| Reducing administrative burdens on “Undertakings for Collective Investment in Transferable Securities” (UCITS)            | -45.0                                  | -20 % |  |       |  |   |
| Simplifying rules on large exposures of credit institutions   | -105.0                                 | -32 % |  |       |  |   |
| Abolishing the obligation to report on initial capital, own funds and investment limitation for e-money service providers | -2.4                                   | -98 % |  |       |  |   |
| Reducing reporting duties on cross border payments  | -6.7                                   | -50 % |  |       |  |   |
| Revising mandatory and solvency capital requirements for insurance and reinsurance companies (Solvency II)                |  |       | 0.9                                    | 0.2 % |  |   |
| Harmonizing the format and frequency of reporting by credit institutions and investment firms                             |  |       |  |       |  |   |
| Sectoral Total  | -142.4                                 | -15 % | 0.9                                    | 0.2 % |  |   |
|   | Total:                                 | 5     | Total:                                 | 1     | Total:                                 | 1 |

| Priority Area - Fisheries  | Adopted                                |       | Proposed                               |       | Under preparation                      |   |
|--|--|-------|--|-------|--|---|
|  | Change in the level of AB <sup>*</sup> |       | Change in the level of AB <sup>*</sup> |       | Change in the level of AB <sup>*</sup> |   |
| Using electronic logbooks for vessels above 15 m length                        | -19.0                                  | -26 % |  |       |  |   |
| Extending the use of electronic logbooks to vessels between 10 and 15 m length |  |       | -14.0                                  | -19 % |  |   |
| Introducing a standard method for fishing inspections across the EU            |  |       | -0.4                                   | -1 %  |  |   |
| Sectoral Total   | -19.0                                  | -26 % | -14.4                                  | -19 % |  |   |
|  | Total:                                 | 1     | Total:                                 | 2     | Total:                                 | 0 |

| Priority Area - Food Safety   | Adopted                    |        | Proposed                   |      | Under preparation          |       |
|---|----------------------------|--------|----------------------------|------|----------------------------|-------|
|   | Change in the level of AB* |        | Change in the level of AB* |      | Change in the level of AB* |       |
| Abolishing authorisation procedures and simplifying labelling requirements for feed materials | -2.0                       | -27 %  |                            |      |                            |       |
| Setting a common and shorter authorisation procedure for food improvement agents              | -0.1                       | -5 %   |                            |      |                            |       |
| Simplifying ovine identification procedure  | ...                        | ...    |                            |      |                            |       |
| Eliminating veterinary border inspections posts between the EU and Switzerland                | -1.3                       | -100 % |                            |      |                            |       |
| Streamlining legislation on the production, marketing and use of animal by-products           | -21.2                      | -16 %  |                            |      |                            |       |
| Simplifying general food labelling and nutritional labelling                                  |                            |        | 103.8                      | 57 % |                            |       |
| Reducing paperwork for transporters thanks to Satellite tracking of animal transport          |                            |        |                            |      | -1 361.0                   | -60 % |
| Reducing the number of veterinary checks on intra-community maritime trade                    |                            |        |                            |      |                            |       |
| Sectoral Total  | -24.6                      | -0.6 % | 103.8                      | 3 %  | -1 361.0                   | -33 % |
|   | Total:                     | 5      | Total:                     | 1    | Total:                     | 2     |

| Priority Area - Pharmaceutical Legislation   | Adopted                    |        | Proposed                   |      | Under preparation          |       |
|--|----------------------------|--------|----------------------------|------|----------------------------|-------|
|  | Change in the level of AB* |        | Change in the level of AB* |      | Change in the level of AB* |       |
| Simplifying the procedure to report "Variations" (changes) to medicines already authorised for marketing             | -40.0                      | -6 %   |                            |      |                            |       |
| Simplifying EC procedures concerning residue limits of pharmacologically act. substances in animal origin foodstuffs | -0.1                       | -0.1 % |                            |      |                            |       |
| Simplifying pharmacovigilance reporting obligations  |                            |        | -61.0                      | -8 % |                            |       |
| Simplifying the application to commence a clinical trial required to test new medicines                              |                            |        |                            |      | -37.4                      | -25 % |

|   |        |      |        |      |        |       |
|---|--------|------|--------|------|--------|-------|
| Reducing administrative burdens resulting from the veterinary medicines legislation |        |      |        |      | -16.1  | -25 % |
| Sectoral Total  | -40.1  | -4 % | -61.0  | -6 % | -53.5  | -6 %  |
|   | Total: | 2    | Total: | 1    | Total: | 2     |

| Priority Area - Public Procurement   | Adopted                   |      | Proposed                  |   | Under preparation         |       |
|--|---------------------------|------|---------------------------|---|---------------------------|-------|
|  | Change in the level of AB |      | Change in the level of AB |   | Change in the level of AB |       |
| Submitting tender documents for public procurement only by the winning enterprise and only once    | -12.5                     | -6 % |                           |   |                           |       |
| Creating a 'Virtual Company Dossier' for businesses in public procurement procedures               |                           |      |                           |   | -47.6                     | -22 % |
| Creating an online information database on business certificates for public procurement procedures |                           |      |                           |   |                           |       |
| Sectoral Total   | -12.5                     | -6 % |                           |   | -47.6                     | -22 % |
|  | Total:                    | 1    | Total:                    | 0 | Total:                    | 2     |

| Priority Area - Statistics   | Adopted                   |       | Proposed                  |  | Under preparation         |  |
|--|---------------------------|-------|---------------------------|--|---------------------------|--|
|  | Change in the level of AB |       | Change in the level of AB |  | Change in the level of AB |  |
| Reducing the number of respondents reporting intra-EU trade                                  | -134.3                    | -47 % |                           |  |                           |  |
| Reducing reporting requirements for Structural Business Statistics                           | -19.0                     | -18 % |                           |  |                           |  |
| Reducing reporting obligations on pig livestock and meat                                     | -3.7                      | -37 % |                           |  |                           |  |
| Reducing reporting obligations on bovine livestock and meat                                  | -1.2                      | -10 % |                           |  |                           |  |
| Reducing reporting requirements on industrial production in the EU                           | -101.6                    | -54 % |                           |  |                           |  |
| Reducing reporting requirements for statistics on Information and Communication Technologies | -3.7                      | -25 % |                           |  |                           |  |

|  |        |       |        |   |        |   |
|--|--------|-------|--------|---|--------|---|
| Reducing reporting requirements for producing Short-Term Statistics                                    | -64.8  | -48 % |        |   |        |   |
| Reducing the administrative burden for businesses stemming from Structural Business Statistics Surveys |        |       |        |   |        |   |
| Reducing the administrative burden on businesses by introducing enhanced eGov solutions                |        |       |        |   |        |   |
| Reducing reporting requirements for statistics on tourism  |        |       |        |   |        |   |
| Updating the statistics on fruit trees in line with today's needs                                      |        |       |        |   |        |   |
| Simplifying the legislation relating to statistics on sea transport                                    |        |       |        |   |        |   |
| Reducing reporting requirements on road transport  |        |       |        |   |        |   |
| Sectoral Total   | -328.3 | -42 % |        |   |        |   |
|  | Total: | 7     | Total: | 0 | Total: | 6 |

| Priority Area - Taxation / Customs   | Adopted                   |       | Proposed                  |       | Under preparation         |  |
|--|---------------------------|-------|---------------------------|-------|---------------------------|--|
|  | Change in the level of AB |       | Change in the level of AB |       | Change in the level of AB |  |
| Suppressing, in the VAT refund procedure, the obligation to complete paper forms in the language of the MS of refund | -447.0                    | -43 % |                           |       |                           |  |
| Simplifying the rules concerning the place of supply of services   | -463.0                    | -1 %  |                           |       |                           |  |
| Modernizing customs procedure and especially switch to a fully electronic customs procedure (legislative change)     | -2 427.0                  | -39 % |                           |       |                           |  |
| Adapting the frequency of recap. statements on cross-border transactions and switching to an electronic procedure    | 203.9                     | 0.3 % |                           |       |                           |  |
| Suppressing additional requirements on invoices and enabling wider use of electronic invoicing                       |                           |       | -18 803.8                 | -24 % |                           |  |
| Setting up a one stop shop and increasing thresholds of special schemes for SMEs and distance sales                  |                           |       | -4 397.4                  | -6 %  |                           |  |
| Simplifying the use of VAT Grouping  |                           |       |                           |       |                           |  |
| Simplifying Regular Shipping Services  |                           |       |                           |       |                           |  |
| Modernizing customs procedure and esp. switch to a fully electronic customs procedure (implementing provisions)      |                           |       |                           |       |                           |  |

|                |          |      |           |       |        |   |
|----------------|----------|------|-----------|-------|--------|---|
| Sectoral Total | -3 133.1 | -4 % | -23 201.2 | -27 % |        |   |
|                | Total:   | 4    | Total:    | 2     | Total: | 3 |

| Priority Area - Transport   | Adopted                    |       | Proposed                   |       | Under preparation          |   |
|---|----------------------------|-------|----------------------------|-------|----------------------------|---|
|   | Change in the level of AB* |       | Change in the level of AB* |       | Change in the level of AB* |   |
| Reducing time spent to register and transmit information on road transport by the introduction of digital tachographs | -286.6                     | -10 % |                            |       |                            |   |
| Facilitating cross-acceptance of rail-rolling stock   | -0.4                       | -14 % |                            |       |                            |   |
| Simplifying EU legislation on the inland transport of dangerous goods   | -2.2                       | -4 %  |                            |       |                            |   |
| Abolishing the notification of transport tariffs and alleviating the obligation to keep documentary evidence onboard  | -114.7                     | -61 % |                            |       |                            |   |
| Simplifying obligations for road haulage and road passenger transport   |                            |       | -34.9                      | -56 % |                            |   |
| Reducing formalities in Short Sea Shipping  |                            |       | -75.0                      | -13 % |                            |   |
| Simplifying the use of digital tachographs and improving the "form of activities"                                     |                            |       | -234.5                     | -8 %  |                            |   |
| Exempting small craft businesses from tachograph requirement for short journeys                                       |                            |       |                            |       |                            |   |
| Sectoral Total  | -403.9                     | -10 % | -344.4                     | -9 %  |                            |   |
|   | Total:                     | 4     | Total:                     | 3     | Total:                     | 1 |

| Priority Area - Working Environment / Employment Relations                   | Adopted                    |      | Proposed                   |  | Under preparation          |  |
|--|----------------------------|------|----------------------------|--|----------------------------|--|
|  | Change in the level of AB* |      | Change in the level of AB* |  | Change in the level of AB* |  |
| Improving the guidance for businesses on health and safety of workers        | -92.5                      | -3 % |                            |  |                            |  |
| Improve the efficiency of regulations concerning the European Works Councils | -0.02                      | -6 % |                            |  |                            |  |

|  |        |      |        |   |        |       |
|--|--------|------|--------|---|--------|-------|
| Exempting very small firms from having to produce a written assessment of the risks to health and safety   |        |      |        |   | -135.0 | -4 %  |
| Facilitate lighter transpositions by Member States of the Health and Safety of Workers Framework Directive |        |      |        |   | -230.0 | -7 %  |
| Making labour inspection visits more efficient   |        |      |        |   | -62.0  | -2 %  |
| Improving the guidance for construction site enterprises   |        |      |        |   | -140.0 | -21 % |
| Easing the drafting of risk assessments on health and safety in businesses                                 |        |      |        |   |        |       |
| Improving ways to handle key information on carcinogens  |        |      |        |   |        |       |
| Sectoral Total   | -92.5  | -2 % |        |   | -567.0 | -15 % |
|  | Total: | 2    | Total: | 0 | Total: | 6     |



## ANNEX C: SECTORAL PLANS FOR REDUCING ADMINISTRATIVE BURDENS – DETAILED PRESENTATION

The Sectoral Reduction Plans report on changes in the level of administrative burdens resulting from action taken by EU public authorities to lighten costs stemming from existing information obligations. They cover the 13 priority areas and 72 EU legal acts in scope of the Action Programme, including national measures implementing or transposing these acts. They list measures adopted, proposed, under preparation or under consideration since the start of the current legislature (set for practical reasons to 1st January 2005)<sup>9</sup>. Some reduction measures are addressed exclusively to the EU level, while others require joint action of the EU and the Member States. In cases where the reduction measure requires changes at Member State level, the role of the Commission is to facilitate these changes. The fact that a measure is listed as “under preparation” or “under consideration” does not prejudice the final decision of the Commission. “Under consideration” only means that the feasibility and the opportunity of a measure are being reviewed. The political decision to move forward in both cases pertains to the next Commission.

The figures below correspond to the expected impact on administrative burdens in the EU as a whole and refer to a "reduction potential". In other words, it is assumed that possibilities offered to Member States and businesses are used to the full, and that national gold plating is completely suppressed. These figures are 'estimates' based on background studies externally contracted and impact assessments prepared by the Commission services. In some cases, for instance financial services, the Commission proposed to suppress some obligations while introducing new ones; the figures provided below indicated the net impact of these reductions and increases; in a few cases, there is a net increase; the figure is then preceded by a "+". The likely impact on administrative burdens of measures “under preparation” or “under consideration” is provided whenever preliminary estimates are available. If the next Commission decides to go ahead with these measures, quantification work will be done or finalised in due time, where appropriate as part of a full impact assessment.

These figures don't credit the EU and its Member States for changes in the level of AB resulting from other factors such as an economic recession, business learning curve or the amortization of one-off costs. They do not take into account either other types of actions taken to minimise AB such as a moratorium on the introduction of new information obligations (which by definition does reduce existing costs) or the benefits, often very significant for businesses, of the introduction of the principle of mutual recognition.

It is worth noting that the reduction of administrative burden did not start with this legislature. Ten reduction measures adopted by Parliament and Council between 2005 and 2009 have their origin in a legislative proposal tabled by the previous Commission. This Commission however started its mandate by screening pending proposals. It decided to maintain these 10 proposals and defended them throughout the legislative deliberation. These measures concern the following priority areas: Agriculture/Agricultural Subsidies, Annual Accounts/Company Law, Financial Services, Fisheries, Statistics, Taxation/Customs, and Transport. They are marked by "\*\*\*". Their reduction potential amounts to EUR 6.8 billion.

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<sup>9</sup> The presentation of the measures in each Sectoral Reduction Plan follows the thematic order used in previous Communications (COM(2007)23 and COM(2009)16) and in the background studies made for the Commission between 2007 and 2009 ([http://ec.europa.eu/index\\_en.htm](http://ec.europa.eu/index_en.htm)).

## 1. SECTORAL REDUCTION PLAN FOR AGRICULTURE AND AGRICULTURAL SUBSIDIES

In 2005 the Commission announced a major simplification of the Common Agricultural Policy (CAP) with the aim of reducing red tape for both farmers and public administrations by making rules more transparent, easier to understand and less burdensome to comply with. One year later, the Commission launched an Action Plan for the Simplification of the Common Agricultural Policy (CAP)<sup>10</sup>. Initially, this specific rolling Action Plan contained 20 projects; currently it includes around 50 projects with new ones being added regularly<sup>11</sup>.

The priority area Agriculture and Agricultural Subsidies is the third biggest priority area in terms of administrative burdens imposed on businesses. The largest part of that burden (EUR 3.81 billion) stems from Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes and certain support schemes for farmers (also known as the Single Payment Scheme).

At the other end of the spectrum, the Commission Regulation (EC) No 1291/2000 laying down rules for the system of import and export licences was often considered as an important irritant even if it was only imposing EUR 12 million of administrative burden. The number of products requiring an import or export licence has now been reduced from over 500 to 65 for imports and to 43 for exports.

The assessment of Administrative Burdens may cover one-off costs and recurring costs. However, one-off costs typically represent a very small part of total administrative burdens. Their inclusion in aggregated data and overall analysis then would not provide any relevant information. In order to focus on the presentation of relevant findings, the one-off costs have therefore generally been discarded when assessing administrative burdens.

Agriculture is a major exception to the rule because of the relative size of the Single Payment Scheme (EUR 3.8 billion) and the fact that SPS initial costs are estimated at EUR 1.3 billion (one-time application of the initial payment entitlements). In order to be consistent when assessing the impact of reduction measures across priority areas, the recurring reduction measures concerning Regulation 1782/2003 are compared to pre-existing recurring burdens. In other words the baseline used in this case corresponds to total administrative burdens minus one-off costs.

When considering the figures for SPS, it should also be noted that the level of burden decreased as a result of provisions provided by Regulation 1782/2003 itself (cf. obligation to use pre-established forms, lowering initial costs by EUR 180 million). The greater familiarity with the new rules (learning curve) also has a great impact (lowering initial costs by an estimated EUR 90 million)<sup>12</sup>.

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<sup>10</sup> Cf. <http://ec.europa.eu/agriculture/simplification/>

<sup>11</sup> In March 2009, the Commission adopted a Communication taking stock of the simplification of the CAP (COM(2009)128).

<sup>12</sup> The figures presented in "A simplified CAP for Europe - a success for all" (COM(2009) 128) refer to the overall reduction of administrative burdens, i.e. resulting from the action of public authorities and from natural processes such as learning curve over the years and amortization of initial one-off costs.

\* *Change in the level of AB of EU origin: absolute figures are given in million euros; percentages relate to the AB of the original act.*

| No   | Measure   | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |        | Progress           |
|--|---|--|--|----------------------------|--------|--------------------|
| 1  | Simplifying formalities for farmers benefiting from the <b>"Single Payment Scheme"</b> (part of the 'Health Check') | Main simplification elements include further decoupling and abolishing of several schemes, such as payments for energy crops and durum wheat. The rules on the modulation franchise as well as the provisions concerning the functioning of the National Reserve are simplified. Furthermore, the rules on set-aside are abolished and the conditions applicable to the transfer of payment entitlements are simplified. | With respect to set-aside, all farmers will now be able to make full use of their land, and Member State authorities will not have to carry out controls. Farmers do not need to provide paper declaring which areas they want to set aside and calculate to arrive at the requisite percentage. This concerns more than 12 million applications per year.<br><br>Concerning decoupling, farmers do not need to provide information on specific crops (more than 3 million applications annually) such as energy crops (almost 800 000 applications annually). | - € 250.0                  | - 11 % | Adopted<br>2009/01 |
| Reference of the original act: Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers            |   |  |  |                            |        |                    |
| Reference of the measure adopted: Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers |   |  |  |                            |        |                    |

| No  | Measure   | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |         | Progress           |
|---|---|---|---|----------------------------|---------|--------------------|
| 2   | Reducing farmers' book-keeping and inspection costs stemming from <b>"cross-compliance" obligations</b> | "Cross-compliance" links direct payments to farmers to compliance with a range of agricultural, health and environmental standards in particular.<br><br>The new rules introduced the possibility to announce on-the-spot checks in advance, and provide more flexibility for the organisation of controls. | All farmers will be able to plan their activities better and controllers will less often be confronted with absent farmers which will improve the efficiency of the controls. | - € 5.5                    | - 0.2 % | Adopted<br>2007/12 |
| Reference of the original act: Commission Regulation (EC) No 796/2004 of 21 April 2004 laying down detailed rules for the implementation of cross-compliance, modulation and the integrated administration and control system provided for in of Council Regulation (EC) No 1782/2003 |   |   |   |                            |         |                    |
| Reference of the measure adopted: Commission Regulation (EC) No 1550/2007 of 20 December 2007 amending Regulation (EC) No 796/2004 laying down detailed rules for the implementation of   |   |   |   |                            |         |                    |

cross-compliance, modulation and the integrated administration and control system provided for in Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers

| No | Measure   | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |        | Progress           |
|----|---|---|---|----------------------------|--------|--------------------|
| 3  | Reducing the number of agricultural products for which a licence is necessary | The number of products requiring an import or export licence has now been reduced from over 500 to 65 for imports and to 43 for exports. In addition, the legal framework for the remaining licences has been simplified and now basically consists of a single regulation. | Importers and exporters will save on the administrative costs of handling the associated paper work, including for depositing (and recovering) licence securities. This concerns more than 280 000 applications per year for import or export licences and about the same number of submissions of licences or certificates to customs offices. | - € 6.0                    | - 50 % | Adopted<br>2008/06 |

**Reference of the original act:** Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products

**Reference of the measure adopted:** Commission Regulation (EC) No 514/2008 of 9 June 2008 amending Regulation (EC) No 376/2008 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products

| No | Measure                   | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |        | Progress           |
|----|---------------------------|--|--|----------------------------|--------|--------------------|
| 4  | Simplifying egg labelling | <p>One of the main purposes behind Regulation 557/2007 was to reduce the administrative burden for direct sales of eggs, to allow some flexibility in the marking of eggs for hatching, and to take account of the needs of smaller producers marketing free-range and barn eggs.</p> <p>The new rules introduce more flexibility for labelling requirements. It is no longer required to grade eggs that are used directly by the industry. The new rules allow eggs to be collected, graded, marked and packed within 10 days of lay, rather than being collected every third working day.</p> | This helps the industry organise itself better, which is especially useful at busy times of year. The new flexibility reduces costs for producers and the downstream sector as well as control costs for Member States. By an exemption for producers with up to 50 laying hens more than 5 million farms producing more than 100 billion eggs can be exempted from marking eggs with the producer code. | - € 606.7                  | - 76 % | Adopted<br>2007/05 |

**Reference of the original act:** Commission Regulation (EC) No 2295/2003 of 23 December 2003 introducing detailed rules for implementing Council Regulation (EEC) No 1907/90 on certain marketing standards for eggs

**Reference of the measure adopted:** Commission Regulation (EC) No 557/2007 of 23 May 2007 laying down detailed rules for implementing Council Regulation (EC) No 1028/2006 on marketing standards for eggs; Commission Regulation (EC) No 589/2008 of 23 June 2008 laying down detailed rules for implementing Council Regulation (EC) No 1234/2007 as regards marketing standards for eggs

| No | Measure   | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |        | Progress           |
|----|---|--|---|----------------------------|--------|--------------------|
| 5  | Reducing inspection costs stemming from marketing standards for fruits and vegetables | <p>The Commission reduced the number of specific marketing standards from 36 to 10 (apples, citrus fruit, kiwifruit, lettuces and endives, peaches and nectarines, pears, strawberries, sweet peppers, table grapes and tomatoes), rationalised the associated checking operations and established a general marketing standard covering most fruit and vegetables.</p> <p>Twenty-six products are now exonerated from labelling class details. National authorities carry out controls for all fruit and vegetables covered by a specific or a general Marketing Standard on a risk analysis basis. The Approved Trader Scheme may be extended to allow traders to self-certify consignments at import.</p> | <p>The 26 repealed standards represent 25 % of the trade in fresh fruit and vegetables. Operators no longer face costs for ensuring that their products meet, for example, predefined size, weight and firmness standards (their products are only to be of sound, fair and marketable quality, with an indication of the country of origin). As a result, producers have to produce less data on the conformity of their products and thus can in particular save time and costs for labelling and grading (estimated at 2 hours per ton). Moreover inspections are less detailed and less costly. They are also less frequent as a result of the new risk-based approach.</p> | - € 973.7                  | - 44 % | Adopted<br>2008/12 |

**Reference of the original acts:** Regulations (EC) No 3223/94, (EC) No 1555/96, (EC) No 961/1999, (EC) No 544/2001, (EC) No 1148/2001, (EC) No 2590/2001, (EC) No 1791/2002, (EC) No 2103/2002, (EC) No 48/2003, (EC) No 606/2003, (EC) No 761/2003, (EC) No 1432/2003, (EC) No 1433/2003, (EC) No 1943/2003, (EC) No 103/2004, (EC) No 1557/2004, (EC) No 179/2006, (EC) No 430/2006, (EC) No 431/2006, and (EC) No 1790/2006

**Reference of the measures adopted:** Commission Regulation (EC) No 1580/2007 laying down implementing rules of Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector as regards marketing standards; Commission Regulation (EC) No 1221/2008 of 5 December 2008 amending Regulation (EC) No 1580/2007

| No  | Measure  | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |         | Progress                      |
|---|--|--|--|----------------------------|---------|-------------------------------|
|   |  |  |  |                            |         |                               |
| 6   | Suppressing administrative burdens linked to <b>special support schemes</b> (part of the 'Health Check') | The 2007 Regulation merged 21 different common market organisations into one horizontal regulation, the single Common Market Organisation (sCMO) and repealed 78 Council Acts. The Health Check did away with special support schemes, such as the disposal scheme for cream and (concentrated) butter, for dried fodder and production refund for starch. | The infrastructure no longer has to be kept operational (such as approval and registering of potential beneficiaries and IT systems and know-how for managing and processing aid applications). About 200 starch producers will be exonerated; cream and butter producers in the UK alone will save more than EUR 600 000. | - € 28.0                   | - 100 % | Adopted<br>2007/10<br>2009/01 |
| <p><b>Reference of the original acts:</b> Regulations (EEC) No 234/68, (EEC) No 827/68, (EEC) No 2517/69, (EEC) No 2728/75, (EEC) No 1055/77, (EEC) No 2931/79, (EEC) No 1358/80, (EEC) No 3730/87, (EEC) No 4088/87, (EEC) No 404/93, (EC) No 670/2003 and (EC) No 797/2004; Regulations (EEC) No 707/76, (EC) No 1786/2003, (EC) No 1788/2003 and (EC) No 1544/2006; Regulations (EEC) No 315/68, (EEC) No 316/68, (EEC) No 2729/75, (EEC) No 2759/75, (EEC) No 2763/75, (EEC) No 2771/75, (EEC) No 2777/75, (EEC) No 2782/75, (EEC) No 1898/87, (EEC) No 1906/90, (EEC) No 2204/90, (EEC) No 2075/92, (EEC) No 2077/92, (EEC) No 2991/94, (EC) No 2597/97, (EC) No 1254/1999, (EC) No 1255/1999, (EC) No 2250/1999, (EC) No 1673/2000, (EC) No 2529/2001, (EC) No 1784/2003, (EC) No 865/2004 and (EC) No 1947/2005 (EC) No 1952/2005 and (EC) No 1028/2006; Regulation (EC) No 1785/2003; Regulation (EC) No 318/2006; Regulations (EEC) No 3220/84, (EEC) No 386/90, (EEC) No 1186/90, (EEC) No 2137/92, and (EC) No 1183/2006; Decision 74/583/EEC.</p> |  |  |  |                            |         |                               |
| <p><b>Reference of the measures adopted:</b> Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation); Council Regulation (EC) No 72/2009 of 19 January 2009 on modifications to the Common Agricultural Policy</p>  |  |  |  |                            |         |                               |

| No   | Measure   | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |       | Progress           |
|--|---|--|--|----------------------------|-------|--------------------|
|  |   |  |  |                            |       |                    |
| 7  | Reducing information obligations for payments to farmers by <b>abolishing the 10-month-rule</b> | The 10-month-rule required that parcels declared by a farmer for direct payment had to be at the farmer's disposal for a period of at least 10 months; the farmers had to provide the respective evidence with the application for direct payment. This rule has been replaced by a single cut-off date. | The abolition of the 10-month-rule leads to a reduction of the time spent by farmers on retrieving relevant information for the single payment application. Furthermore, the administrative costs of the respective controls decrease. | - € 21.5                   | - 1 % | Adopted<br>2008/02 |
| <p><b>Reference of the original act:</b> Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers</p>  |   |  |  |                            |       |                    |
| <p><b>Reference of the measure adopted:</b> Council Regulation (EC) No 146/2008 of 14 February 2008 amending Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers</p> |   |  |  |                            |       |                    |

| No  | Measure  | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |  | Progress            |
|---|--|--|--|----------------------------|--|---------------------|
| 8   | Repealing legal requirements on registration of contracts in the hops sector | At the moment hop growers are obliged to register production contracts. This registration allows for obtaining essential market information and creates a certain level of transparency in the market. At the same time it represents a burdensome activity for growers and administrations. The registration requirement was not fundamentally changed by reforms introduced by Regulation 1557/2006. | Repealing the legal requirements on registration of contracts in the hops sector would reduce costs for growers and administrations, since they do not have to register contracts anymore. Alternative ways for generating market data in the hops sector will be developed. |                            |  | Under consideration |
| Reference of the original acts: Regulation (EEC) No 776/73 of the Commission of 20 March 1973 on registration of contracts and communication of data with respect to hops |  |  |  |                            |  |                     |
| Reference of the measure under preparation/under consideration: -   |  |  |  |                            |  |                     |

| No  | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |  | Progress            |
|---|---|---|--|----------------------------|--|---------------------|
| 9   | Simplifying controls on farmers by striving for appropriate control rates | Control rates differ from policy area to policy area; they are meant to reflect the risks involved. Appropriate control rates should be strived for with a view to limiting the administrative burden to farmers. | Appropriate control rates could facilitate inspections and help managing farmers' expectations. The respective controls imply that an appropriate number of farmers are controlled with a corresponding appropriate level of administrative burden taking into account proper risk assessment. |                            |  | Under consideration |
| Reference of the original acts: Commission Regulation (EC) No 796/2004 of 21 April 2004 laying down detailed rules for the implementation of cross-compliance, modulation and the integrated administration and control system provided for in of Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers; Commission Regulation (EC) No 1082/2003 of 23 June 2003 laying down detailed rules for the implementation of Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards the minimum level of controls to be carried out in the framework of the system for the identification and registration of bovine animals; Commission Regulation (EC) No 1505/2006 of 11 October 2006 implementing Council Regulation (EC) No 21/2004 as regards the minimum level of checks to be carried out in relation to the identification and registration of ovine and caprine animals |   |   |  |                            |  |                     |
| Reference of the measure under preparation/under consideration: -   |   |   |  |                            |  |                     |

| No   | Measure   | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |  | Progress            |
|--|---|--|---|----------------------------|--|---------------------|
| 10   | Simplifying EU schemes and marketing standards in the context of the <b>agricultural product quality policy</b> | Development of (compulsory) general basic marketing standards; preparation of possible recast of geographical indications legislation (single regulatory structure for existing systems for wine, spirits, agricultural products and foodstuffs); development of guidelines e.g. for certification schemes; new EU organic logo. | The process of registering geographical indications could be more efficient, transparent and coherent for producers and the consultation of the register should be simplified for stakeholders. |                            |  | Under consideration |
| Reference of the original act: e.g. Regulation (EEC) No 2081/92 of the Council on the protection of geographical indications and designations of origin for agricultural products and foodstuffs |   |  |   |                            |  |                     |
| Reference of the measure under preparation/under consideration: Further information can be found in COM(2009)234.  |   |  |   |                            |  |                     |

| No  | Measure  | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |  | Progress                                 |
|---|--|---|--|----------------------------|--|--|
| 11  | Increasing the <b>tolerable risk of errors</b> for funds used in rural development | The EU has to ensure that funds are used in accordance with their objective. Nevertheless, there has to be a balance between increased control costs and the savings of irregular expenditure. Eligibility conditions for funds for rural development are more complex than for direct payments to farmers. Taking into account a cost-benefit analysis, the tolerable risk level could be increased above the current 2 % level. | Controls would be more cost effective, if the tolerable risk level is raised. This does not imply accepting inadequate management and control systems, but to set a different standard for determining the best possible control results within given (reduced) resources. |                            |  | Under preparation<br>(target date: 2010) |
| Reference of the original act: Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations |  |   |  |                            |  |  |
| Reference of the measure under preparation/under consideration: Further information can be found in COM(2008)866, p. 9  |  |   |  |                            |  |  |



| No  | Measure   | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |  | Progress            |
|---|---|--|--|----------------------------|--|---------------------|
| 12  | Concentrating <b>cross-compliance rules</b> in one legal instrument | At present, cross-compliance rules are laid down in three different Council Regulations concerning direct payments, the single Common Market Organisation and rural development. Developing a proposal for one single legal act on cross-compliance by harmonising the current rules could provide a clearer and simplified legal framework. | Enterprises will be provided with a more transparent legal framework and increased legal security. |                            |  | Under consideration |
| <p><b>Reference of the original act:</b> Commission Regulation (EC) No 796/2004 of 21 April 2004 laying down detailed rules for the implementation of cross-compliance, modulation and the integrated administration and control system provided for in of Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers; Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation); Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD)</p> |   |  |  |                            |  |                     |
| Reference of the measure under preparation/under consideration: -   |   |  |  |                            |  |                     |

| No   | Measure   | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |  | Progress            |
|--|---|--|--|----------------------------|--|---------------------|
| 13   | Reducing control frequency related to <b>dried fodder</b> | Allowing annual check instead of regular additional checks of the aid related to dried fodder. | Reducing the frequency of controls related to dried fodder will ensure that the cost of controls related to dried fodder remains proportionate to the amount of aid granted. Operators will have to spend less time on controls. |                            |  | Under consideration |
| <p><b>Reference of the original act:</b> Commission Regulation (EC) No 785/95 of 6 April 1995 laying down detailed rules for the application of Council Regulation (EC) No 603/95 on the common organization of the market in dried fodder</p> |   |  |  |                            |  |                     |
| Reference of the measure under preparation/under consideration: Evaluation by November 2009  |   |  |  |                            |  |                     |

| No | Measure              | Description of the Measure | Description of the Outcome | Change in the Level of AB* |  | Progress |
|----|----------------------|----------------------------|----------------------------|----------------------------|--|----------|
| 14 | Simplifying measures | Measures include:          | Outcome would be:          |                            |  | Under    |

|  |  |  |  |  |                      |
|--|--|--|--|--|----------------------|
| <p>implementing the Single Payment Scheme for farmers, including <b>cross-compliance, modulation and the integrated administration and control system</b></p>  | <ul style="list-style-type: none"> <li>- Allowing Member States to recalculate the value of the payment entitlements in case the farmer owns various fractions of an entitlement of the same origin. Exempting farmers who use less than one hectare from the obligation to submit a single application for payments and abolishing the obligation to submit certain supporting documents with the single application as specified in Art. 13.</li> <li>- Allowing Member States to apply the measurement tolerance as referred to in Art. 30(1) also with respect to administrative checks based on the Geographical Information System as referred to in Art. 6(1).</li> <li>- Allowing advance payments in case of parcel overlapping once the margins of the total amount of possible aid have been established by the national authorities.</li> <li>- Integrating Regulation (EC) No 796/2004 and Regulation (EC) No 1975/2006 into one regulation.</li> <li>- More flexibility in cases of missing or incomplete accompanying documents.</li> <li>- Changing the reference to “three years” into “three calendar years” within the definition of a “repeated non-compliance” in Art. 41.</li> <li>- Introducing a triviality limit regarding deviation between the agricultural parcels as declared in the single application and the reference parcels as contained in the identification system for agricultural parcels</li> </ul> | <ul style="list-style-type: none"> <li>- The recalculation could improve the coherence between the farmers who own various fractions of the entitlement and the payment of entitlements.</li> <li>- The exemption could release small farmers from costs involved in the application procedure. Farmers can keep certain supporting documents available for control officials in case of physical checks, thus they save the costs related to the actual submission.</li> <li>- The harmonisation of the measurement tolerance will mainly impact on the level of irritation. Farmers can apply the same approach in both cases.</li> <li>- There could be fewer delays in payment due to overlapping parcels. Thus, irritation could be reduced.</li> <li>- Differences in definitions etc can be adjusted. Thus, the legislation could become clearer.</li> <li>- Increased flexibility with deadlines could reduce high season work for public administration and decrease irritation with farmers who provide late or incomplete documents.</li> <li>- Farmers could have more clarity on the period for (non-) compliance. This should simplify their system of data administration.</li> <li>- Triviality limits could reduce the amount of cases which need to be reopened despite a very limited deviation. Thus, it will simplify work for the administration and reduce irritation for farmers.</li> </ul> |  |  | <p>consideration</p> |
| <p><b>Reference of the original act:</b> Commission Regulation (EC) No 796/2004 of 21 April 2004 laying down detailed rules for the implementation of cross-compliance, modulation and the integrated administration and control system provided for in of Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers</p> |  |  |  |  |                      |

Reference of the measure under preparation/under consideration: Evaluation by November 2009

## 2. SECTORAL REDUCTION PLAN FOR ANNUAL ACCOUNTS /COMPANY LAW

The priority area Company Law/Annual Accounts is the second biggest priority area by administrative burdens, which is mainly due to the high number of companies affected by the legislation in this priority area. Out of nine legal acts under review for this priority area, the directives specifying the accounting and auditing obligations of companies (Directive 78/660/EEC and Directive 83/349/EEC) are responsible for most of the estimated burden. For large and medium-sized enterprises, the obligations imposed by these directives correspond to a large extent to what normally efficient businesses would do in the absence of EC legislation (business as usual costs). This is not true for smaller businesses, especially micro-enterprises, which consider most of these rules as a legal burden.

The modernisation and simplification of accounting, auditing and company law started with the 2003 Company law and Corporate Governance Action Plan. In July 2007, the Commission launched a broad initiative for further simplification presenting in particular ideas for administrative burden reduction. A significant number of legislative proposals were tabled as a result, after consulting stakeholders. Adoption by Parliament and Council of some of the pending proposals has been delayed. Swift adoption of these ambitious measures is essential to reach the 2012 target.

In the field of accounting (financial reporting), three initiatives followed directly from the above-mentioned Communication. One proposal was adopted at EU level in June 2009. One proposal is currently being discussed by the European Parliament and the Council. One additional proposal will follow after further stakeholder consultation. The Member States are in the process of transposing the directive allowing for more small and medium sized companies to benefit from less burdensome accounting and auditing regimes. For further details please refer to the table below.

In the area of company law, three legislative proposals were put forward by the Commission. In order to deliver results as rapidly as possible, two of them were tabled in the form of so-called "fast track" proposals. The first one aimed at aligning certain rules on expert reports in the case of domestic mergers and divisions with the rules contained in the Cross-border Mergers Directive (Directive 2005/56/EC). It was approved by the Council and the European Parliament in November 2007 (Directive 2007/63/EC). The second proposal aimed at reducing the costs that limited liability companies incur for the publication of company information and for translations when setting up a branch abroad. It is still pending in European Parliament and Council. Furthermore, in September 2008, the Commission presented a proposal for further amendments to the directives on mergers and divisions on which was adopted by the Council and the European Parliament in July 2009.

It is worth noting that the reduction of administrative burden did not start with this legislature. Reduction measures marked by "\*\*\*" in this Sectoral Plan have their origin in a legislative proposal tabled by the previous Commission. This Commission however decided to maintain these proposals and defended them in the legislative deliberation. The reduction potential of these measures amounts to around EUR 1 billion.

## 2.1. Annual Accounts (Financial Reporting)

\* *Change in the level of AB of EU origin: absolute figures are given in million euros; percentages relate to the AB of the original act.*

| No  | Measure  | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |       | Progress           |
|---|--|---|---|----------------------------|-------|--------------------|
| 1   | Allowing more small and medium sized companies to benefit from <b>simplified accounting/auditing regimes</b> | The Member States may permit the use of less burdensome accounting/auditing rules for small and medium sized enterprises. These categories are defined on the basis of maximum number of employees, net turnover and balance sheet total in Directive 78/660/EEC. These thresholds were increased by around 20 % with this measure. | Around 340 000 SMEs could benefit from less burdensome accounting and auditing regimes. | - € 862.6                  | - 8 % | Adopted<br>2006/06 |
| Reference of the original act: Fourth Council Directive 78/660/EEC of 25 July 1978 based on Article 54 (3) (g) of the Treaty on the annual accounts of certain types of companies |  |   |   |                            |       |                    |
| Reference of the measure adopted: Directive 2006/46/EC of 14 June 2006 amending Council Directives 78/660/EEC, 83/349/EEC, 86/635/EEC and 91/674/EEC **                           |  |   |   |                            |       |                    |

| No  | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |          | Progress           |
|---|---|---|--|----------------------------|----------|--------------------|
| 2   | Limiting the amount of information in the <b>notes to the accounts</b> for medium sized enterprises<br><br>Clarifying that <b>consolidated accounts</b> are not required if all subsidiaries are non-material | Previously Member States could authorise small companies not to disclose an explanation of the amount entered under 'formation expenses' in the notes on the accounts.<br><br>This possibility is now extended to medium-sized enterprises. The new Directive also clarifies that parent companies which only have 'non-material' subsidiaries need not draw up consolidated accounts and a consolidated annual report. | Around 240 000 companies could be exempted from disclosure information relating to 'formation expenses' and save the respective costs for generating this information. This part of the proposal could bring savings of around EUR 3.9 million.<br><br>Savings for groups with non-material subsidiaries could amount to around EUR 4.3 million. | - € 8.2                    | - 0.01 % | Adopted<br>2009/06 |
| Reference of the original acts: Fourth Council Directive 78/660/EEC of 25 July 1978 based on Article 54 (3) (g) of the Treaty on the annual accounts of certain types of companies; Seventh Council Directive 83/349/EEC of 13 June 1983 based on the Article 54 (3) (g) of the Treaty on consolidated accounts |   |   |  |                            |          |                    |
| Reference of the measure adopted: Directive 2009/49/EC of 18 June 2009 as regards certain disclosure requirements for medium-sized companies and the obligation to draw up consolidated accounts  |   |   |  |                            |          |                    |

| No  | Measure  | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |        | Progress            |
|---|--|---|---|----------------------------|--------|---------------------|
| 3   | Allowing Member States to <b>exempt micro-enterprises</b> from accounting directives | Member States may choose to apply a number of simplified accounting and auditing rules to small and medium sized companies, including micro-enterprises. They can however not exclude micro-enterprises totally from the rules of EU accounting directives, which (even in their simplified form) are not well suited for micro-enterprises and their stakeholders.<br><br>The proposal is to allow Member States to remove micro entities entirely from the scope of Directive 78/660/EEC. | Member States would be free to devise accounting regimes best suited for their micro-enterprises. As a result up to 5.4 million micro-enterprises could profit from regimes better tailored to their needs. | - € 6 300.0                | - 56 % | Proposed<br>2009/02 |
| Reference of the original act: Fourth Council Directive 78/660/EEC of 25 July 1978 based on Article 54 (3) (g) of the Treaty on the annual accounts of certain types of companies |  |   |   |                            |        |                     |
| Reference of the measure proposed: Proposal for a directive of the European Parliament and of the Council as regards micro-entities, COM(2009)83 of 26 February 2009              |  |   |   |                            |        |                     |

| No  | Measure   | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |  | Progress          |
|---|---|--|--|----------------------------|--|-------------------|
| 4   | Modernizing EU <b>accounting directives</b> through a general <b>overhaul</b> | The accounting and auditing directives were adopted in the 70s-80s and no longer adequately reflect the needs of the companies and users of the financial accounts. Their structure does not reflect the fact that the vast majority of enterprises are SMEs. Finally, the relationship between these two Directives and the new International Financial Reporting Standards (IFRS) for SMEs needs to be considered. | Companies in general would benefit from updated and simplified content and structure. SMEs would benefit from rules targeted better to their needs. The outcome should include an updated and to the necessary extent simplified content and structure of the balance sheet, the profit and loss account and the notes to the account. |                            |  | Under preparation |
| Reference of the original acts: Fourth Council Directive 78/660/EEC of 25 July 1978 based on Article 54 (3) (g) of the Treaty on the annual accounts of certain types of companies; Seventh Council Directive 83/349/EEC of 13 June 1983 based on the Article 54 (3) (g) of the Treaty on consolidated accounts |   |  |  |                            |  |                   |

Reference of the measure under preparation / consideration: -

## 2.2. Company Law

*\* Change in the level of AB of EU origin: absolute figures are given in million euros; percentages relate to the AB of the original act.*

| No | Measure   | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |       | Progress            |
|----|---|--|---|----------------------------|-------|---------------------|
| 5  | Simplifying the <b>publication and translation</b> of financial information | The First Company law Directive (Directive 68/151/EEC) requires the publication of changes in the companies register in the national gazette. This publication does not create any added value anymore given that company registries, since the beginning of 2007, have to make this information available online. Furthermore, the Eleventh Company Law Directive gives Member States the possibility to require certified translations of certain documents where a foreign company wants to set up a branch on their territories. In that case, it should be possible to re-use translations that have already been certified in a Member State on a previous occasion. | A large number of companies (potentially 4.14 million) will save the publication costs, which in the case of the publication of the annual accounts for example are substantive. Around 25 000 branches of companies from other Member States will benefit from the re-use of translations. In both cases, important irritants are removed. | - € 611.6                  | - 4 % | Proposed<br>2008/04 |

**Reference of the original acts:** First Council Directive 68/155/EEC of 9 March 1968 on co-ordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the Treaty, with a view to making such safeguards equivalent throughout the Community; Eleventh Council Directive 89/666/EEC of 21 December 1989 concerning disclosure requirements in respect of branches opened in a Member State by certain types of company governed by the law of another State

**Reference of the measure proposed:** Proposal for a directive of the European Parliament and of the Council as regards publication and translation obligations of certain types of companies, COM(2008)194 of 17 April 2008

| No   | Measure  | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |        | Progress           |
|--|--|---|--|----------------------------|--------|--------------------|
| 6  | Simplifying the obligations related to <b>changes to the capital</b> of public limited liability companies | <p>The Second Company Law Directive established a system giving minimum guarantees for shareholders and creditors where public limited companies are set up or alter their share capital. A number of elements of this system were too inflexible and costly. Therefore, modifications were recommended notably by the Simpler Legislation for the Internal Market (SLIM) group in 1999 and by the Group of High Level Company Law Experts in 2002.</p> <p>The Directive implements a number of these recommendations, including a simplification of the acquisition of shares through contributions in kind and the acquisition by a company of its own shares. Also, the rules and information obligations on financial assistance that a company can give for the acquisition of its shares by a third party were relaxed.</p> | A costly expert valuation of contributions in kind when a company establishes itself or increases capital is needed in fewer cases. Companies also benefit from simpler rules on the limitation or withdrawal of pre-emption rights and a less burdensome procedure of issuing new shares (which however maintain shareholders' protection from dilution of their shareholdings). Finally, the restrictions and conditions imposed on companies providing financial assistance for acquisition of their shares by third parties and for acquiring their own shares up to the limits of distributable reserves have been relaxed. | - € 150.0                  | - 15 % | Adopted<br>2006/09 |
| <p><b>Reference of the original act:</b> Second Council Directive 77/91/EEC of 13 December 1976 on coordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the Treaty, in respect of the formation of public limited liability companies and the maintenance and alteration of their capital, with a view to making such safeguards equivalent</p> |  |   |  |                            |        |                    |
| <p><b>Reference of the measure adopted:</b> Directive 2006/68/EC of 6 September 2006 amending Council Directive 77/91/EEC as regards the formation of public limited liability companies and the maintenance and alteration of their capital **</p>  |  |   |  |                            |        |                    |

| No | Measure  | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |        | Progress           |
|----|--|--|--|----------------------------|--------|--------------------|
| 7  | Abolishing the obligation to provide an <b>independent expert's report</b> on merger or division in case of waiver | Council Directives 78/855/EEC and 82/891/EEC provide for the company having to set up an expert report on the draft terms of a merger or a division. This requirement becomes an unnecessary formality where the shareholders of all companies involved in | Companies and their shareholders can waive the independent expert report and thereby realize important savings in terms of time and money. Especially micro and small enterprises, with a limited shareholder ship, will make use of this possibility. | - € 170.1                  | - 26 % | Adopted<br>2007/11 |



|  |   |  |  |  |  |
|--|---|--|--|--|--|
|  | the merger do not consider such a report necessary. |  |  |  |  |
| <p><b>Reference of the original acts:</b> Third Council Directive 78/855/EEC of 9 October 1978 based on Article 54 (3) (g) of the Treaty concerning mergers of public limited liability companies; Sixth Council Directive 82/891/EEC of 17 December 1982 based on Article 54 (3) (g) of the Treaty, concerning the division of public limited liability companies</p> |   |  |  |  |  |
| <p><b>Reference of the measure adopted:</b> Directive 2007/63/EC of 13 November 2007 as regards the requirement of an independent expert's report on the occasion of merger or division of public limited liability companies</p>  |   |  |  |  |  |

| No  | Measure   | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |        | Progress           |
|---|---|--|---|----------------------------|--------|--------------------|
| 8   | <b>Simplifying the reporting requirements in case of a merger or division</b> | The Directives concerned establish overly burdensome requirements in the context of so-called "simplified" mergers and divisions between parent companies and their subsidiaries, and do not prevent double reporting in the case of divisions where reporting requirements also result from other EU rules. Furthermore, the Directives do not take sufficient account of today's technological possibilities for publishing company information and communicating with the company's shareholders. | By reducing the requirements for the use of "simplified" mergers and divisions between parent companies and their divisions, more companies are allowed to benefit from the benefits of this instrument. Furthermore, they are allowed to make better use of today's technological possibilities to communicate to their shareholders and the public in the most efficient way. | - € 172.0                  | - 26 % | Adopted<br>2009/09 |
| <p><b>Reference of the original acts:</b> Second Council Directive 77/91/EEC of 13 December 1976 on coordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the Treaty, in respect of the formation of public limited liability companies and the maintenance and alteration of their capital, with a view to making such safeguards equivalent; Third Council Directive 78/855/EEC of 9 October 1978 based on Article 54 (3) (g) of the Treaty concerning mergers of public limited liability companies; Sixth Council Directive 82/891/EEC of 17 December 1982 based on Article 54 (3) (g) of the Treaty, concerning the division of public limited liability companies; Directive 2005/56/EC of the European Parliament and of the Council of 26 October 2005 on cross-border mergers of limited liability companies</p> |   |  |   |                            |        |                    |
| <p><b>Reference of the measure adopted:</b> Directive 2009/109/EC of the European Parliament and of the Council of 16 September 2009 as regards reporting and documentation requirements in the case of mergers and divisions</p>   |   |  |   |                            |        |                    |

| No | Measure                               | Description of the Measure                 | Description of the Outcome                              | Change in the Level of AB* |  | Progress |
|----|---------------------------------------|--|---|----------------------------|--|----------|
| 9  | <b>Simplification of reporting of</b> | The Societas Europaea (SE) statute adopted | Simplified rules in the SE statute would facilitate the |                            |  | Under    |

|   |   |  |   |  |  |                    |
|---|---|--|---|--|--|--------------------|
|   | <p>companies in the form of a <b>Societas Europaea (SE)</b></p> | <p>in 2001 foresees an evaluation by the Commission based on the experience gained with the new company form. This evaluation comprises an assessment under the administrative burden perspective.</p> | <p>setting up of an SE. More businesses would therefore be able to profit from the advantages of this company form. This would benefit in particular to companies with large operations in several Member States.</p> |  |  | <p>preparation</p> |
| <p>Reference of the original act: Council Regulation (EC) No 2157/2001 of 8 October 2001 on the Statute for a European Company (SE)</p> |   |  |   |  |  |                    |
| <p>Reference of the measure under preparation / consideration: -</p>  |   |  |   |  |  |                    |

### 3. SECTORAL REDUCTION PLAN FOR COHESION POLICY

Cohesion policy is a special priority area in that the obligations provided by EU legislation only apply in case of a request for EU (co)financing. The multi-level implementation of the Cohesion Policy involves national, regional and local authorities. The beneficiaries of the Structural Funds and the Cohesion Fund are not only private firms but also public and semi-public authorities and non-profit organisations. Therefore, not all the information obligations required by EU legislation exclusively or directly affect businesses. That is why in this priority area the measurement of administrative costs and burdens is not limited to businesses.

Administrative costs and burdens stemming from rules for the 2000-2006 funding period<sup>13</sup> are estimated at EUR 929 million. The information obligations set for the 2007-2013 funding period are fairly similar<sup>14</sup>. In the context of the economic and financial crisis, the Commission decided however to propose measures with the purpose of accelerating Cohesion Policy investments and payments. The European Economic Recovery Package included amendments which allow flat rates and lump sums to simplify the statement and the control of small amounts of expenditure. In addition, in 2008 an amendment to Council Regulation (EC) 1083/2006 was adopted to simplify the financial management rules for certain revenue-generating projects. In July 2009 the Commission has proposed further amendments to the Council Regulation 1083/2006, after consultations with experts from the Member States. Furthermore, recently adopted amendments to the implementing Commission Regulation 1828/2006 are expected to have an impact in lightening the administrative burdens for all beneficiaries<sup>15</sup>.

*\* Change in the level of AB of EU origin: absolute figures are given in million euros; percentages relate to the AB of the original act<sup>16</sup>.*

| No | Measure   | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |       | Progress           |
|----|---|---|---|----------------------------|-------|--------------------|
| 1  | Reducing administrative burdens for projects (co)financed by EU structural funds and regarded as revenue-generating | Despite of the provision on proportionality in monitoring small operations generating revenues (total cost below EUR 200 000) the application of the calculation method for monitoring revenues generated by all projects was imposing disproportionate burdens on a number of projects. The amendment reduces administrative burdens | Many infrastructural projects and non-infrastructural projects generating revenues will benefit from this amendment. For example, in case of ERDF-financed projects only around 8 % of all projects had in the period 2004-2006 a total cost higher than EUR 1 000 000. | - € 18.4                   | - 2 % | Adopted<br>2008/12 |

<sup>13</sup> Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds.

<sup>14</sup> Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999.

<sup>15</sup> The Commission was asked to present these measures as a matter of urgency without waiting for a full assessment of their impact. The figures included in this Sectoral Reduction Plan should therefore be considered as first estimates based on best information currently available. Additional information is being collected. This might lead the Commission to revise its figures at a later stage.

<sup>16</sup> Note that all reduction measures listed in this Sectoral Reduction Plan refer to the same act (Council Regulation (EC) No 1260/1999). Contrary to the other priority areas, the reduction percentages listed under "Change in the level of AB" should therefore be added to reach the overall Sectoral Reduction Figure.

|  |  |   |  |  |  |
|--|--|---|--|--|--|
|  |  | by raising the application threshold to EUR 1 000 000 for projects co-financed by the European Regional Development Fund (ERDF) or Cohesion Fund and excluding the application to all projects co-financed by the European Social Fund (ESF). |  |  |  |
| Reference of the original act: Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds   |  |   |  |  |  |
| Reference of the measure adopted: Council Regulation (EC) No 1341/2008 of 18 December 2008 amending Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund, in respect of certain revenue-generating projects |  |   |  |  |  |

| No  | Measure   | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |       | Progress           |
|---|---|--|--|----------------------------|-------|--------------------|
| 2   | <b>Simplifying the management and control</b> of operations co-financed by the European Social Fund (ESF) and the European Regional Development Fund (ERDF) | <p>The application of the current 'real cost' method for the reimbursement forced beneficiaries to submit a significant number of documents for a minor part of expenditure. Furthermore, all supporting documents had to be kept available for three years after the closure of the programme.</p> <p>The amendments of Regulation (EC) 1081/2006 and Regulation 1080/2006 provide additional ways of calculating eligible costs for operations co-financed by the European Social Fund and the European Regional Development Fund, namely, indirect costs declared on a flat rate basis, standard scales of unit costs and lump sums</p> | The added forms of calculations will reduce the number of documents that need to be provided and kept by beneficiaries substantially. This will alleviate the administrative burdens for beneficiaries and national authorities. | - € 45.8                   | - 5 % | Adopted<br>2009/05 |
| Reference of the original act: Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds  |   |  |  |                            |       |                    |
| Reference of the measures adopted: Regulation (EC) No 396/2009 of the European Parliament and of the Council of 6 May 2009 amending Regulation (EC) No 1081/2006 on the European Social Fund to extend the types of costs eligible for a contribution from the ESF; Regulation (EC) No 397/2009 of the European Parliament and of the Council of 6 May 2009 amending Regulation (EC) No 1080/2006 on the European Regional Development Fund as regards the eligibility of energy efficiency and renewable energy investments in housing |   |  |  |                            |       |                    |

| No   | Measure   | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |       | Progress           |
|--|---|--|---|----------------------------|-------|--------------------|
| 3  | <b>Simplifying and clarifying general provisions on the ERDF, ESF and the Cohesion Fund</b> | The aim of this measure is in particular to simplify or reduce: (1) reporting on major projects, irregularities and irrecoverable amounts; (2) the fulfilment of publicity requirements; (3) requirements for the business plan required in case of financial engineering; (4) the information required in the statement of expenditure for partial closure; (5) annual and final reporting by clarifying the use of indicators, deleting the reporting for private expenditure and deleting unnecessary information for reporting on publicity and information measures; and (6) reporting obligations in case of on-the-spot-checks. | The measure will reduce the administrative burdens for all beneficiaries. | - € 33.4                   | - 4 % | Adopted<br>2009/09 |
| Reference of the original act: Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds   |   |  |   |                            |       |                    |
| Reference of the measure adopted: Commission Regulation (EC) No 846/2009 of 1 September 2009 amending Regulation (EC) No 1828/2006 setting out rules for the implementation of Council Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and of Regulation (EC) No 1080/2006 of the European Parliament and of the Council on the European Regional Development Fund |   |  |   |                            |       |                    |

| No   | Measure  | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |       | Progress             |
|--|--|--|--|----------------------------|-------|----------------------|
| 4  | <b>Providing guidance and training on control and audits of Structural Funds</b> | To increase the understanding of control requirements in the 2007-2013 period and thus make compliance easier, the Commission has provided extensive guidance through the management committees and regular technical meetings of audit authorities and has organised large scale training events for Member States. | A better application of the provisions related to audit and control implies a significant leverage effect on the perceived administrative burdens for financial control for all beneficiaries. | - € 20.0                   | - 2 % | Adopted<br>2008-2009 |
| Reference of the original act: Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds   |  |  |  |                            |       |                      |
| Reference of the measure adopted: Guidance note on annual control reports and opinions, Guidance on reliance on the work of other auditors, Guidance note on management verifications, Guidance note on certification, Guidance note on partial closure, Guidance on revenue generating projects, Information note on fraud indicators |  |  |  |                            |       |                      |

| No | Measure   | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |       | Progress            |
|----|---|--|--|----------------------------|-------|---------------------|
| 5  | Facilitating, simplifying and clarifying certain general provisions on the ERDF, ESF and the Cohesion Fund for the implementation of the programmes | The Commission proposed in particular to (1) simplify reporting on the financial progress of the programmes; (2) facilitate management of major projects; (3) clarify the rules on durability of the investment; (4) simplify the revision of the programmes to adapt to current situation; (5) enhance the use of financial engineering, specially for energy efficiency and renewable energy; (6) reduce the period for monitoring revenues in case of revenue-generating projects; (7) clarify the admissible guarantees in case of advances for state aid; (8) encourage the use of partial closure of programmes. | The measure is expecting to reduce the administrative burdens for beneficiaries. | - € 50.0                   | - 5 % | Proposed<br>2009/07 |

Reference of the original act: Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds

Reference of the measure proposed: Proposal for a Council Regulation amending Regulation (EC) No 1083/2006 concerning general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund as regards simplification of certain requirements and as regards certain provisions relating to financial management COM (2009) 384 of 22 July 2009

| No | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |       | Progress             |
|----|---|---|--|----------------------------|-------|----------------------|
| 6  | Developing, at national / regional level, central clearing houses for Cohesion Policy reporting | The Commission is examining the possibility for the Member States to develop a central clearing house at national and local level. It should connect the national/local databases, in order to get interactive portals for the data submitted by the beneficiaries.<br><br>In 2009/2010, the Commission will launch a preliminary study to increase awareness among Member States that have not yet implemented a central clearing house. This study will also assess the legal, financial and technical prerequisites in order to facilitate the feasibility studies to be launched at | Experience from Member states that have already a central clearing house in place proved that beneficiaries can submit information only once, while national authorities and bodies involved in management, monitoring and controlling of the programmes keep their own electronic system. A central electronic repository distributes information to the different databases. | - 55.0                     | - 6 % | Under<br>preparation |

|  |                  |  |  |  |  |
|--|------------------|--|--|--|--|
|  | national levels. |  |  |  |  |
| Reference of the original act: Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds |                  |  |  |  |  |
| Reference of the measure under consideration/preparation: -  |                  |  |  |  |  |

#### 4. SECTORAL REDUCTION PLAN FOR ENVIRONMENT

The administrative burden stemming from the seven acts measured in the priority area Environment are estimated at EUR 1.2 billion. Only 8 % of the total administrative cost is marked as business-as-usual costs. About a third of the administrative costs can be attributed to Council Directive 96/61/EC concerning integrated pollution prevention and control, and in particular to the obligation for businesses with certain installations to submit information to public authorities about the results of the monitoring of releases. The Commission already proposed reduction measures for 5 acts out of 7 in scope, of which 1 measure is already adopted. For the remaining acts measures are under preparation.

*\* Absolute figures are given in million euros; percentages relate to the AB of the original act.*

| No   | Measure   | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |       | Progress           |
|--|---|--|---|----------------------------|-------|--------------------|
| 1  | Simplifying procedures for <b>controlling waste shipments</b> | The measure clarifies, for shipment of waste, the possibility to use general notifications instead of individual notifications where similar shipments are going to follow the same route. | The system of processing one general notification through the competent authority of dispatch reduces the paperwork and control, compared to submitting the individual notification per shipment. On average more than EUR 500 can be saved each time a general notification is used instead of individual notifications. | - € 3.6                    | - 3 % | Adopted<br>2007/06 |
| Reference of the original act: Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community |   |  |   |                            |       |                    |
| Reference of the measure adopted: Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste                                       |   |  |   |                            |       |                    |

| No   | Measure   | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |        | Progress            |
|--|---|---|---|----------------------------|--------|---------------------|
| 2  | Simplifying the regime for <b>integrated pollution prevention and control</b> | The Commission proposed in particular to: (1) combine application of permits by merging requirements of separate Directives; (2) streamline reporting and monitoring and move towards electronic reporting; (3) improve uptake of Best-Available-Technique through clarification. | Operations would profit from this measure. Member States would enhance the current implementation practice which would benefit the operations indirectly. | - € 32.0                   | - 12 % | Proposed<br>2007/12 |
| Reference of the original act: Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control  |   |   |   |                            |        |                     |
| Reference of the measure proposed: Proposal for a Directive of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) - COM(2007)844 of 21 December 2007 |   |   |   |                            |        |                     |



| No   | Measure  | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |        | Progress            |
|--|--|---|---|----------------------------|--------|---------------------|
|  |  |   |   |                            |        |                     |
| 3  | Harmonizing national registration and reporting obligations on <b>waste electrical and electronic equipment</b> and ensure interoperability of registers | <p>Producer registration and reporting requirements in Member States are diverging. The Commission proposed to harmonise the registration requirements and the reporting obligations for producers, which are now specified by the different national producer registers.</p> <p>Additionally the measure would introduce legal changes allowing the interoperability of Member State registers. Interoperability would enable the integration of WEEE reporting horizontally between the Member States, and would also enable the integration of the vertical information chain between the different economic operators, i.e. producers of electric and electronic equipment, producer responsibility organizations and treatment facilities. The interoperability between Member States registers will be implemented through the respective Comitology Committee.</p> | This measure would cut unnecessary administrative burdens for producers of electrical and electronic equipment, by allowing one registration and reporting for all EU obligations. The frequency and number of reporting entries that producers have to make would be reduced by exchanging the necessary information between the registries, including for reimbursement of registration fees. SMEs would proportionally benefit most. | - € 66.0                   | - 57 % | Proposed<br>2008/12 |
| Reference of the original act: Directive 2002/96/EC of the European Parliament and of the Council of 27 January 2003 on waste electrical and electronic equipment (WEEE)                         |  |   |   |                            |        |                     |
| Reference of the measure proposed: Proposal for a Directive of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE) - COM (2008)810 of 3 December 2008 |  |   |   |                            |        |                     |

| No | Measure   | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |       | Progress            |
|----|---|---|---|----------------------------|-------|---------------------|
|    |   |   |   |                            |       |                     |
| 4  | Streamlining reporting obligations on <b>substances depleting the ozone layer</b> | This measure would in particular: (1) streamline reporting obligations by reporting directly to the Commission (2) remove obsolete regulatory provisions. | Businesses, including SME, would find it easier and less costly to comply with the reporting obligations. | - € 0.5                    | [tbc] | Proposed<br>2008/08 |

Reference of the original act: Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer

Reference of the measure proposed: Proposal for a Regulation of the European Parliament and of the Council on substances that deplete the ozone layer, COM(2008)505 of 1 August 2008

| No | Measure  | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |       | Progress            |
|----|--|---|---|----------------------------|-------|---------------------|
| 5  | <b>Simplifying authorisation procedures for the placing of biocidal products on the market</b> | This measure would in particular: (1) strengthen the rules of mutual recognition of authorisations between Member States; (2) introduce a centralised authorisation system for low-risk products and basic substances and (3) introduce mandatory data sharing between authorities. | Enterprises active in several Member States would benefit from having to ask for authorisation and having to provide the necessary documentation only once. | - € 140.0                  | [tbc] | Proposed<br>2009/06 |

Reference of the original act: Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market

Reference of the measure proposed: Proposal for a Regulation of the European Parliament and of the Council concerning the placing on the market and use of biocidal products COM (2009) 267 of 12 June 2009

| No | Measure  | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |  | Progress            |
|----|--|--|--|----------------------------|--|---------------------|
| 6  | <b>Setting up a website for submitting and changing notifications of presence or changes of dangerous substances</b> | The Commission could encourage Member States to set up websites for notification of presence or changes of dangerous substances and facilitate this task. The architecture of the website would be such that the completed online notification would be automatically forwarded to all the relevant authorities. | Upper and lower tier establishments would benefit from sending or updating the notifications electronically via a website. Those websites would include standard forms and would be pre-filled with previously submitted information. The forward the completed online notification to relevant national authorities would be automatic. |                            |  | Under consideration |

Reference of the original act: Council Directive 96/82/EC of 9 September 1996 on the control of major-accident hazards involving dangerous substances (Seveso), as amended by Directive 2003/105/EC of 16 December 2003

Reference of the measure under preparation / consideration: -

| No  | Measure   | Description of the Measure  | Description of the Outcome  | Change in the Level of AB*     |  | Progress            |
|---|---|---|---|--------------------------------|--|---------------------|
| 7   | Improving coordination between <b>"Integrated Pollution Prevention and Control" and Seveso inspections</b> by national authorities (legislative proposal) | <p>Coordination problems between authorities responsible for the IPPC (Integrated Pollution Prevention and Control) inspections and the authorities responsible for Seveso inspections result in duplicating requests.</p> <p>Changes proposed by the Commission in 2007 to improve the IPPC regime would be a first contribution to solve coordination problems.</p> | The measure would reduce the administrative burdens related to the preparation, support for and follow up of inspections. In addition, it would facilitate sharing information between IPPC and Seveso inspections reducing duplication of information submitted by operations. | [quantification not completed] |  | Proposed<br>2007/12 |
| Reference of the original act: Council Directive 96/82/EC of 9 September 1996 on the control of major-accident hazards involving dangerous substances (Seveso), as amended by Directive 2003/105/EC of 16 December 2003; Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control |   |   |   |                                |  |                     |
| Reference of the measure proposed: Proposal for a Directive of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control), COM(2007)844.  |   |   |   |                                |  |                     |

| No  | Measure  | Description of the Measure   | Description of the Outcome | Change in the Level of AB* |  | Progress                  |
|---|--|--|----------------------------|----------------------------|--|---------------------------|
| 8   | Improving coordination between <b>"Integrated Pollution Prevention and Control" and Seveso inspections</b> by national authorities (implementing provisions) | <p>The coordination of the two inspection regimes could be further improved by a legislative proposal modifying the Seveso Directive. This would add to the improvement already foreseen in the 2007 proposal on integrated pollution prevention and control, pending approval by the co-legislator (see item 7).</p> <p>This could be done by adding introduce a clause promoting coordination of inspections in the revision of the Seveso Directive planned for 2010.</p> | See item 7.                |                            |  | Under preparation<br>2010 |
| Reference of the original act: Council Directive 96/82/EC of 9 September 1996 on the control of major-accident hazards involving dangerous substances (Seveso), as amended by Directive 2003/105/EC of 16 December 2003; Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control |  |  |                            |                            |  |                           |
| Reference of the measure under preparation / consideration: -   |  |  |                            |                            |  |                           |

| No | Measure  | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |  | Progress          |
|----|--|---|--|----------------------------|--|-------------------|
| 9  | Encouraging Member States to update " <b>Integrated Pollution Prevention and Control</b> " permits rather than demanding their renewal | In a number of Member States, businesses with IPPC (Integrated Pollution Prevention and Control) installations have to apply for an entirely new permit at regular intervals or whenever the permit conditions change. In many cases, it would however be sufficient to merely update the existing permit, which is less burdensome for enterprises.<br><br>As the directive already allows a mere updating, the Commission could encourage Member State authorities to use such mere updating of existing permits in more cases. | Operators would benefit from a reduction in the number of full applications for permits they have to submit. |                            |  | Under preparation |

Reference of the original act: Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control

Reference of the measure under preparation / consideration: -

| No | Measure  | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |  | Progress          |
|----|--|---|---|----------------------------|--|-------------------|
| 10 | Simplifying and streamlining the <b>notification system for shipments of waste</b> | Simplify the notification system by implementing an electronic notification system and streamline the approval process in Member States that do not have such a system.<br><br>The Commission has already highlighted to Member States and stakeholders the importance of introducing an electronic notification system, provided as a possibility in the Regulation. The Commission will continue to encourage Member States and stakeholders. | Businesses shipping waste cross-border would benefit. The electronic notification system would speed up the process of drawing up the notification. A streamlined consent process would reduce waiting time. Competent authorities would manage their processes more efficiently. |                            |  | Under preparation |

Reference of the original act: Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community

Reference of the measure under preparation / consideration: -

| No | Measure  | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |  | Progress          |
|----|--|---|--|----------------------------|--|-------------------|
| 11 | Introducing <b>online systems</b> through which treatment facilities can issue <b>vehicle destruction certificates</b> | <p>The burden related to the vehicle destruction certificates would be reduced by national online systems for the issuing of these certificates linked to the national vehicle registration system.</p> <p>The Commission would facilitate the introduction of such online systems by national authorities.</p> | Time spend on issuing vehicle destruction certificates would decrease for treatment facilities, dealerships and traders of cars. Because this system would be connected to the vehicle registration system, the owner of the vehicle would no longer need to notify the competent authorities to deregister the vehicle. |                            |  | Under preparation |

Reference of the original act: Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles

Reference of the measure under preparation / consideration: -

## 5. SECTORAL REDUCTION PLAN FOR FINANCIAL SERVICES

The six legal acts in the scope of this priority area impose significant administrative cost on enterprises (EUR 1.7 billion). Around half of these administrative costs however correspond to “business as usual” costs (i.e. normally efficient financial institutions would collect and process the information required by those acts even in the absence of a legal obligation).

Changes to EU legislation on financial services also have to be seen in the context of the current financial crisis. The current macro- and microeconomic regulatory system, its supervisory framework and financial companies’ internal risk assessment procedures have failed to prevent this crisis. The Commission therefore decided to propose further reinforcement of the rules in place, notably on the basis of the report presented by the High Level Group on Financial Supervision in the EU (De Larosière Report).

In doing so, the Commission nevertheless took into consideration the impact on the level of administrative burdens. It has examined how new rules could improve the supervisory quality without adding unnecessary or disproportionate burdens on the financial sector. By making maximum use of modern technology and by closely aligning the legal requirements with the internal business procedures of the credit institutions, the Commission also demonstrated its determination to keep any necessary increase of the administrative burden to the minimum. Moreover, new rules will be systematically reviewed to benefit from experience.

It is worth noting that the reduction of administrative burden did not start with this legislature. The measure marked by "\*\*\*" in this Sectoral Plan has its origin in a legislative proposal tabled by the previous Commission. This Commission however decided to maintain this proposal and defended it in the legislative deliberation. The impact of this measure amounts to a net increase EUR 16.7 million (some obligations have been simplified reduced but the resulting reduction in administrative burdens is outweighed by the introduction of new obligations needed to better control credit institutions).

*\* Change in the level of AB of EU origin: absolute figures are given in million euros; percentages relate to the AB of the original act*

| No   | Measure  | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |       | Progress           |
|--|--|--|---|----------------------------|-------|--------------------|
| 1  | Revising capital and solvency requirements for credit institutions | The new Directives transposed into EU law the Basel II regime, which is now mandatory for credit institutions. They significantly strengthened the capital and solvency requirements (substantive costs) and the procedures to determine the capital adequacy. They also strengthened the supervision of credit institutions notably by introducing new requirements for public disclosure of information. | As the new requirements build on internal processes that credit institutions are largely performing for their own purposes, the net increase in the level of administrative burdens is rather modest. | + € 16.7                   | + 9 % | Adopted<br>2006/06 |
| Reference of the original act: Directive 2000/12/EC of 20 March 2000 relating to the taking up and pursuit of the business of credit institutions; Directive 1993/6/EEC of 15 March 1993 on the capital adequacy of investment firms and credit institutions |  |  |   |                            |       |                    |
| Reference of the measure adopted: Directive 2006/48/EC of the European Parliament and of the Council of 14 June 2006 relating to the taking up and pursuit of the business of credit institutions;   |  |  |   |                            |       |                    |

Directive 2006/49/EC of the European Parliament and of the Council of 14 June 2006 on the capital adequacy of investment firms and credit institutions \*\*

| No | Measure  | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |         | Progress            |
|----|--|---|---|----------------------------|---------|---------------------|
| 2  | Revising mandatory and solvency capital requirements for insurance and reinsurance companies (Solvency II) | <p>The Commission proposed to consolidate the EU rules for insurance institutions into one legal act and introduce a new regime for calculating the mandatory and solvency capital requirements on the basis of risk-sensitivity (Solvency II).</p> <p>These changes would not affect the provision of information to the policy holder, which is the most burdensome part of the current regime.</p> <p>Political agreement between Parliament and Council has been reached. The legislative act is under linguistic review.</p> | <p>Overall insurance companies would have to adjust to a more sophisticated regime and deal with a net increase in AB. Most of them would however be constrained to take some qualitative leap even in the absence of a legal obligation, in order to prevent avoid another financial crisis.</p> <p>The increase in AB would be partially compensated by the harmonization of rules concerning all types of insurance activity foreseen by this proposal.</p> <p>The estimated change in the level of AB does not comprise the cost of holding (additional) capital or calculating the amount of capital to hold; the latter will be quantified in the Impact Assessment for the proposal for the Solvency II implementing measures.</p> | + € 0.9                    | + 0.2 % | Proposed<br>2007/07 |

Reference of the original act: Directive 2002/83/EC of the European Parliament and of the Council of 5 November 2002 concerning life insurance

Reference of the measure proposed: Proposal for a Directive of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II), COM(2007)361 of 10 July 2007

| No | Measure  | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |        | Progress           |
|----|--|--|--|----------------------------|--------|--------------------|
| 3  | Reducing administrative burdens on “Undertakings for Collective Investment in Transferable Securities” (UCITS) | <p>The current regime is excessively constraining and prevents fund managers and administrators from fully exploiting their development possibilities.</p> <p>It is therefore proposed to radically simplify the notification procedure, to reduce the paperwork related to fund mergers and master-feeder (pooling) structures and to extensively overhaul the simplified</p> | <p>Around 29 000 enterprises would benefit from the new rules. The harmonisation of the merger procedure would considerably reduce the administrative burden borne by fund promoters wishing to merger funds across borders by removing the need to comply with different sets of national requirements. Businesses intending to be marketed in another Member State profit from a harmonised notification file, from new restrictions on the host Member State to ask for</p> | - € 45.0                   | - 20 % | Adopted<br>2009/07 |

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|  | prospectus, to make its use more widespread. | additional requests and from simpler translation requirements. Businesses would save time when drawing up the simplified prospectus as its content is harmonised and they would save on the costs of publishing/transmitting it when using the newly allowed possibility of electronic transmission.<br><br>The change in the level of AB mentioned here is a first estimate. The impact of new rules on the merger procedure and the new Key-Investor Information document is still under review. |  |  |  |
| <p><b>Reference of the original act:</b> Council Directive 85/611/EEC of 20 December 1985 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities</p>   |  |  |  |  |  |
| <p><b>Reference of the measure adopted:</b> Directive 2009/65/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS IV)</p> |  |  |  |  |  |

| No | Measure  | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |        | Progress           |
|----|--|---|--|----------------------------|--------|--------------------|
| 4  | <b>Simplifying rules on large exposures of credit institutions</b> | The large exposures regime had been 'left open' at the time of the reform of the Capital Requirements Directives. There continued to be a high level of divergence in how the large exposure rules were applied by the national supervisory authorities. This is a result of the numerous options offered, the number of permutations of the take up of these options that is possible, and some differences and difficulties arising from inconsistent interpretations of definitions. Any given exposure might therefore receive very different treatments from Member State to Member State. The lack of a consistent approach across the EU is particularly burdensome for banks operating cross-border. Furthermore, for certain types of investment firms, such as investment managers, the regime was not 'fit for | The most material impact, in relative terms, is anticipated for investment firms that fall in the "limited activity" and "limited license" categories as they are proposed to be exempt from the regime, resulting in savings of 100 % of the respective administrative burden. The cumulative effect of regime harmonization by removing numerous burdensome national discretions was estimated to fall in the range of 4 %-20 % of the administrative burden baseline for banks. A third layer of savings that is assumed to be significant stems from a closer alignment of large exposures and solvency regimes. The proposed changes also introduce several additional reporting requirements. However, they are mostly deemed to be insignificant. | - € 105.0                  | - 32 % | Adopted<br>2009/09 |



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|   |  | purpose' in relation to their business. |  |  |  |
| Reference of the original act: Council Directive 1993/6/EEC of 15 March 1993 on the capital adequacy of investment firms and credit institutions  |  |   |  |  |  |
| Reference of the measure adopted: Directive 2009/111/EC of the European Parliament and of the Council of 16 September 2009 amending Directives 2006/48/EC, 2006/49/EC and 2007/64/EC as regards banks affiliated to central institutions, certain own funds items, large exposures, supervisory arrangements, and crisis management |  |   |  |  |  |

| No   | Measure   | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |        | Progress           |
|--|---|--|--|----------------------------|--------|--------------------|
| 5  | Abolishing the obligation to report on initial capital, own funds and investment limitation for e-money service providers | Some of the provisions of the current electronic money directive seem to have hindered the take-up of the electronic money market, hampering technological innovation.<br><br>The Commission therefore proposed to modernise the prudential regime of electronic money institutions, ensuring consistency with that of payment institutions under the Payment Services Directive. Non-credit undertakings issuing electronic money would in particular no longer have to report data on their initial capital, own funds and liabilities and limitations of investment to competent authorities. | The reporting obligation is responsible for nearly the entire burden caused by the current regime. Its abolition would bring savings between EUR 50 000 and EUR 150 000 per year and enterprise. | - € 2.4                    | - 98 % | Adopted<br>2009/09 |
| Reference of the original act: Directive 2000/46/EC on the taking up, pursuit of and prudential supervision of the business of electronic money institutions (Electronic Money Directive)  |   |  |  |                            |        |                    |
| Reference of the measure adopted: Directive 2009/110/EC of the European Parliament and of the Council of 16 September 2009 on the taking up, pursuit and prudential supervision of the business of electronic money institutions |   |  |  |                            |        |                    |

| No | Measure  | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |        | Progress           |
|----|--|--|---|----------------------------|--------|--------------------|
| 6  | Reducing reporting duties on cross border payments | The proposal aims at updating the legal framework on cross-border payments and at aligning it with the new Payment Services Directive (Directive 2007/64). This alignment inter alia concerns the obligation | The obligation to provide information to customers on payment charges (burden of around EUR 6.7 million) would fall away in its current form. It should however be noted that a similar information obligation exists in Directive 2007/64/EC (out of scope of the Action | - € 6.7                    | - 50 % | Adopted<br>2009/09 |

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|  | <p>to provide information to customers on payment charges which will no longer be stipulated in the Directive on Cross Border Payments.</p> <p>Furthermore, the proposal foresees the reduction and ultimate abolition of payment-based reporting obligations for balance of payments purposes. The threshold above which banks have to provide such data in the name of their customers (businesses and individuals) would be increased from EUR 12 500 to EUR 50 000 (January 2010). Settlement-based reporting would then be entirely abolished as of January 2012.</p> | <p>Programme).</p> <p>Replacing payment-based reporting by alternative methods such as direct reporting and surveys would lead to the reduction of administrative burden in the 12 affected Member States by some EUR 350 million annually. This impact is not taken into account here because the provision of data on cross border payments stems from statistical requirements set by Regulation 184/2005 and that act is out of scope of the Action Programme.</p> |  |  |  |
| <p>Reference of the original act: Regulation (EC) No 2560/2001 on cross-border payments in euro</p>  |  |  |  |  |  |
| <p>Reference of the measure adopted: Regulation (EC) No 924/2009 of the European Parliament and of the Council of 16 September 2009 on cross-border payments in the Community and repealing Regulation (EC) No 2560/2001</p> |  |  |  |  |  |

| No | Measure   | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |  | Progress            |
|----|---|---|---|----------------------------|--|---------------------|
| 7  | <b>Harmonising the use of the XBRL for prudential reporting</b> | <p>Member States extended the XBRL (eXtensible Business reporting Language) taxonomies for prudential and financial reporting, developed by the Committee of European Banking Supervisors. This lack of XBRL harmonisation in the European banking system isolates it from the rapid XBRLisation of supervisory systems in other major economies (US, SE Asia etc.). It also risks to slow down the realization of potential benefits of this approach – once-only reporting, data re-use, exchange of financial information amongst supervisors, etc. – leading to substantial savings and enhanced quality of information.</p> <p>To get to the uniform format for COREP as</p> | <p>Businesses, and notably those which are active in several Member States, would benefit from such a harmonization and extension of the scope of XBRL-based reporting.</p> |                            |  | Under consideration |

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|   | required by the amended Capital Requirements Directives, the Commission is working towards the development and implementation of uniform reporting standards and systems and a common IT language, inter alia by providing substantial amounts of finance. |  |  |  |
| Reference of the original act: Directive 2000/12/EC of 20 March 2000 relating to the taking up and pursuit of the business of credit institutions; Directive 1993/6/EEC of 15 March 1993 on the capital adequacy of investment firms and credit institutions; Directive 2002/83/EC of 5 November 2002 concerning life insurance |  |  |  |  |
| Reference of the measure under preparation/consideration: -   |  |  |  |  |

| No  | Measure  | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |  | Progress            |
|---|--|---|---|----------------------------|--|---------------------|
| 8   | Simplifying the provision of pre-contractual information required from insurance companies | <p>Insurance undertakings are obliged to communicate certain information to the policyholder before the conclusion of the insurance contract and keep him informed throughout the term of the contract of any changes to this information.</p> <p>Work is ongoing on modernizing and harmonizing the stipulations on pre-contractual information provision found in several EU legal acts. A horizontal approach presented in COM(2009)204 could better ensure overall coherence and legal certainty, notably to the benefit of enterprises falling under the scope of several of these acts. Options that would reduce administrative burdens such as the provision of non-essential information only in electronic form and/or only on demand are considered.</p> | Businesses would save time and money when providing the required information to prospective clients. Clients would benefit from receiving less but more relevant information. |                            |  | Under consideration |
| Reference of the original act: Directive 2002/83/EC of 5 November 2002 concerning life insurance  |  |   |   |                            |  |                     |
| Reference of the measure under preparation/consideration: Communication of 29 April 2009 on Packaged Retail Investment Products, COM(2009)204 |  |   |   |                            |  |                     |

| No   | Measure   | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |  | Progress            |
|--|---|---|---|----------------------------|--|---------------------|
| 9  | Improving guidance for application of authorisation of insurance undertakings | <p>Guidance on applications for authorisation to take up the business of insurance could be improved. Upgraded guidance could provide clearer indication as to what documents need to be provided and as to their desired format.</p> <p>The Commission could cooperate with Committee of European Insurance and Occupational Pensions Supervisors CEIOPS to develop such guidance, notably based on best practices in Member States.</p> | Clearer guidance would reduce the irritation and the costs of setting up and expanding a business of insurance. Clients would benefit from increased competition and innovation in the marketplace. |                            |  | Under consideration |
| Reference of the original act: Directive 2002/83/EC of 5 November 2002 concerning life insurance |   |   |   |                            |  |                     |
| Reference of the measure under preparation/consideration: -                                      |   |   |   |                            |  |                     |

| No | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |  | Progress                                    |
|----|---|---|--|----------------------------|--|---|
| 10 | Harmonizing the format and frequency of reporting by credit institutions and investment firms | <p>Credit institutions and investment firms which are active in more than one Member incur unnecessary administrative burdens by divergence between Member States of requirements on the format, frequency and date of their reporting to supervisory bodies.</p> <p>In accordance with the provisions of directive 2009/111, work is therefore ongoing on harmonizing the area of supervisory reporting and notable on developing before 1 January 2012 a common reporting format(the full application of which by national supervisors being required from 31 December 2012). This reporting format, elaborated by the Committee of</p> | Costs and irritation for businesses active in more than one Member State would be drastically reduced by reporting in the same format, with the same frequency, and on the same date in all Member States. Proportionate reporting would notably benefit smaller firms with less complex activities. |                            |  | Under preparation<br>Target date<br>2011/Q4 |

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|  | European Banking Supervisors in the form of guidelines, will be proportionate to the nature, scale and complexity of the credit institutions' activities. |  |  |  |  |
| Reference of the original act: Directive 2000/12/EC of 20 March 2000 relating to the taking up and pursuit of the business of credit institutions; Directive 1993/6/EEC of 15 March 1993 on the capital adequacy of investment firms and credit institutions |   |  |  |  |  |
| Reference of the measure under preparation/consideration: -  |   |  |  |  |  |

| No   | Measure  | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |  | Progress            |
|--|--|---|--|----------------------------|--|---------------------|
| 11   | Exempting <b>unlisted insurance companies and credit institutions</b> from <b>yearly notification of shareholdings</b> | Insurance undertakings and credit institutions are required to inform the competent authorities of their home Member States at least once a year of the names of shareholders and members possessing qualifying holdings and the sizes of such holdings. This obligation seems less suitable for unlisted companies for which it could be sufficient to provide a notification whenever a shareholding exceeds or falls below the thresholds. | Unlisted businesses would benefit from no longer being required to submit the information yearly while stakeholders would not be adversely affected. |                            |  | Under consideration |
| Reference of the original act: Directive 2000/12/EC of 20 March 2000 relating to the taking up and pursuit of the business of credit institutions; Directive 2002/83/EC of 5 November 2002 concerning life insurance |  |   |  |                            |  |                     |
| Reference of the measure under preparation/consideration: -  |  |   |  |                            |  |                     |

## 6. SECTORAL REDUCTION PLAN FOR FISHERIES

Administrative burdens stemming from information obligations on Fisheries are in absolute terms the smallest among the 13 priority areas in scope of the Action Programme for Reducing Administrative Burdens in the European Union (less than 0.1 %).

The Commission is implementing its 2005-2008 Action Plan for Simplifying the Common Fisheries Policy (CFP)<sup>17</sup>. In this context a reform introducing electronic reporting has been adopted by the Council in 2006; implementing measures were adopted in 2008. The new system will be compulsory as regards sales data as from 2009 and regarding catch data from 2010 onwards. A reform of the system of fishing authorizations has also been introduced and the rules for the European Fishery Fund were simplified.

The Action Programme covers only one piece of EC legislation for Fisheries: Council Regulation (EEC) No 2847/93 (the 'Control Regulation'). The administrative burdens for this act have been estimated at EUR 73.9 million. On 14 November 2008 the Commission presented a proposal<sup>18</sup> for a reform of the Control Regulation that could reduce the burdens by half.

It is worth noting that the reduction of administrative burden did not start with this legislature. One reduction measure, marked by "\*\*\*" in this Sectoral Plan, has its origin in a legislative proposal tabled by the previous Commission. This Commission however decided to maintain this proposal and defended it in the legislative deliberation. The reduction potential of this measures amounts to EUR 19 million.

*\* Change in the level of AB of EU origin: absolute figures are given in million euros; percentages relate to the AB of the original act.*

| No | Measure   | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |        | Progress                      |
|----|---|--|--|----------------------------|--------|-------------------------------|
| 1  | Using electronic logbooks for vessels above 15 m length | The application of the Electronic Reporting System (ERS), which comprises the electronic logbook and the landing declaration, is foreseen for vessels above 15 m length as from 1 July 2011. | The use of modern technology such as the electronic logbook and other devices will save time for fishermen in complying with the legislation, as many of the requested data will be already available on the screen (identification, position etc.) or can be clicked on a screen. Thus, the submission of (recurring) reports will be simplified. This concerns about 10 000 out of the approximately 86 000 vessels according to the Community fleet register. | - € 19.0                   | - 26 % | Adopted<br>2006/12<br>2008/11 |

<sup>17</sup> Cf. COM(2005)647. See Implementation report of June 2009, COM(2009)261. [http://ec.europa.eu/fisheries/cfp/simplification\\_en.htm](http://ec.europa.eu/fisheries/cfp/simplification_en.htm).

<sup>18</sup> Cf. COM(2008)721; [http://ec.europa.eu/fisheries/cfp/control\\_enforcement/reform\\_control\\_en.htm](http://ec.europa.eu/fisheries/cfp/control_enforcement/reform_control_en.htm).

Reference of the original act: Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy (the 'Control Regulation')

Reference of the measures adopted: Council Regulation (EC) No 1966/2006 of 21 December 2006 on electronic recording and reporting of fishing activities and on means of remote sensing \*\*;  
Commission Regulation (EC) No 1077/2008 of 3 November 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 1966/2006 on electronic recording and reporting of fishing activities and on means of remote sensing; cf. also to [http://ec.europa.eu/fisheries/cfp/control\\_enforcement/reform\\_control\\_en.htm](http://ec.europa.eu/fisheries/cfp/control_enforcement/reform_control_en.htm)

| No | Measure  | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |        | Progress            |
|----|--|---|---|----------------------------|--------|---------------------|
| 2  | Extending the use of <b>electronic logbooks</b> to vessels <b>between 10 and 15 m length</b> | The new Control Regulation would simplify the control system of the Common Fisheries Policy, merge several legal acts, and promote the use of modern technology. The proposal <i>inter alia</i> extends the application of the Electronic Reporting System (ERS), which comprises the electronic logbook and the landing declaration, to vessels between 10 and 15 m length as from 1 January 2012: <a href="http://ec.europa.eu/fisheries/cfp/control_enforcement/reform_control_en.htm">http://ec.europa.eu/fisheries/cfp/control_enforcement/reform_control_en.htm</a> | The use of modern technology such as the electronic logbook and other devices will save time for fishermen in complying with the new legislation, as many of the requested data will be already available on the screen (identification, position etc.) or can be clicked on a screen. Thus, the submission of (recurring) reports will be simplified. This concerns an additional almost 11 000 vessels according to the Community fleet register. | - € 14.0                   | - 19 % | Proposed<br>2008/11 |

Reference of the original act: Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy (the 'Control Regulation')

Reference of the measure proposed: Proposal for a Council Regulation establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy - COM(2008)721 of 14 November 2008

| No | Measure  | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |       | Progress            |
|----|--|---|--|----------------------------|-------|---------------------|
| 3  | Introducing a <b>standard method for fishing inspections</b> across the EU | A standard method for fishing inspections would entail the use of control technologies (Vessel Monitoring System – VMS – and Electronic Reporting Systems – ERS) to their fullest extent, effective procedures for information sharing and clear inspection guidelines. | The standard method would provide fishermen with more clarity on what to expect from the almost 100 000 inspections carried out annually. It would reduce irritation as well as the perception of discrimination when fishing in waters of a different Member State. | - € 0.4                    | - 1 % | Proposed<br>2008/11 |

Reference of the original act: Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy (the 'Control Regulation')

Reference of the measure proposed: Proposal for a Council Regulation establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy - COM(2008)721 of 14 November 2008 (principles laid down in the proposal, further standard methodology for fishing inspections to be detailed in implementing rules)

| No | Measure  | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |  | Progress            |
|----|--|---|---|----------------------------|--|---------------------|
| 4  | Risk-based approach for <b>top-rated vessels</b> | Once the new Control Regulation is properly implemented and enforced, a risk-based approach for the “submission of a landing declaration”, in particular with respect to top rated vessels, could be envisaged. | Vessels that have modern technology including weighing machines in combination with the electronic logbook installed on board could be released from waiting for the live weight data of the catch when drawing up the landing declaration, provided they have a good track record and use appropriate technologies. The landing declaration would be automatically generated based on the logbook. |                            |  | Under consideration |

Reference of the original act: Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy (the 'Control Regulation')

Reference of the measure under preparation/consideration: -



## 7. SECTORAL REDUCTION PLAN FOR FOOD SAFETY

EU legislation on Food Safety and Consumer Protection accounts for around 5 % of the total administrative burden measured in the 13 priority areas. A total of 12 legal acts imposing 56 information obligations have been scrutinised with a view to reduce administrative burdens. Four information obligations have been found to be of special importance in terms of the burdens they impose on businesses. They relate to the drawing up and keeping available of transport information, the drawing up of a disinfection register and the standard labelling of beef and the labelling of foodstuffs.

Administrative burden reduction efforts in the area of Food Safety take into account concerns of people's safety and are based on a careful consideration of the costs and benefits. This consideration has allowed the Commission to identify the following reduction measures.

*\* Change in the level of AB of EU origin: absolute figures are given in million euros; percentages relate to the AB of the original act.*

| No  | Measure   | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |  | Progress            |
|---|---|--|---|----------------------------|--|---------------------|
| 1   | <b>Simplifying bovine identification procedures</b> | <p>The possibility of simplifying holding registers and animal passports and introducing electronic identification is under review in the framework of the Animal Health Strategy foreseen for presentation in 2010-2011.</p> <p>Electronic identification would greatly streamline paper work for operators on the bovine market.</p> <p>Ex-post evaluation is currently ongoing.</p> | <p>Changes under consideration would considerably reduce red tape surrounding the identification of bovine animals (90 million EU wide) for breeders, market and assembly centres and slaughterhouses while guaranteeing the traceability which is at the core of the preservation of healthy meat supply.</p> <p>Incorrect identification of animals would be reduced; breeders would spend less time keeping holding register (no more manual entry) and the central database would be updated without delay.</p> |                            |  | Under consideration |
| Reference of the original act: Regulation (EC) No 1760/2000 of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products |   |  |   |                            |  |                     |
| Reference of the measure under preparation/consideration: -   |   |  |   |                            |  |                     |

| No | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |  | Progress            |
|----|---|---|--|----------------------------|--|---------------------|
| 2  | <b>Repealing provisions on voluntary beef labelling</b> | The approval procedure for non standard labelling is considered burdensome by the | All operators and organisations marketing beef including slaughterhouses, wholesalers and retailers of |                            |  | Under consideration |

|   |  |   |  |  |  |  |
|---|--|---|--|--|--|--|
|   |  | industry without being justified by sufficient additional security to consumers, as the traceability of meat is ensured by the compulsory labelling requirements. | meat, currently using additional (non compulsory) labels, would benefit from this measure. This concerns some 53 000 businesses. |  |  |  |
| Reference of the original act: Regulation (EC) No 1760/2000 of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products |  |   |  |  |  |  |
| Reference of the measure under preparation/consideration: -   |  |   |  |  |  |  |

| No   | Measure   | Description of the Measure   | Description of the Outcome  | Change in the Level of AB*     |  | Progress           |
|--|---|--|---|--------------------------------|--|--------------------|
| 3  | <b>Simplifying ovine identification procedure</b> | <p>Professionals had put forward that paperwork related to the identification and movement of ovine and caprines animals needed to be simplified. IT solutions which exist in some MS should be implemented in all countries.</p> <p>The recording of individual animal codes of electronically identified animals has been facilitated (it is now allowed at destination instead of being compulsory at origin of transport, when the animal moves out of the holding where it was born). The annual inventory has been simplified for holdings using computer databases.</p> | These measures have significantly reduced administrative burdens for up to 2.5 million ovine and caprine flock keepers, without endangering animal health or food security for consumers. | [quantification not completed] |  | Adopted<br>2009/08 |
| Reference of the original act: Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals   |   |  |   |                                |  |                    |
| Reference of the measure adopted: Commission Regulation (EC) No 759/2009 of 19 August 2009 amending the Annex to Council Regulation (EC) No 21/2004 establishing a system for the identification and registration of ovine and caprine animals |   |  |   |                                |  |                    |

| No   | Measure   | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |        | Progress          |
|--|---|--|---|----------------------------|--------|-------------------|
| 4  | Reducing paperwork for transporters thanks to Satellite tracking of <b>animal transport</b> | <p>To preserve animal health and welfare and thus guarantee the quality of meat marketed at a later stage, transporting of animals needs to be regularly controlled especially in the case of cross border trade.</p> <p>A satellite tracking system used to verify the movements of vehicle transporting animals would make it possible to significantly reduce the amount of documents (including the journey log) that need to be collected and submitted by transporters to authorities. The proposal would be to create the legal basis for the use of such a harmonised system.</p> <p>Technical specifications of this system would be introduced in a second phase through an executive act of the Commission.</p> | The consequence of the reform would be, by the appropriate use of new technologies, to reduce the time spent by transporters drawing up and keeping transport and planning information, and submitting the journey log. This would not only improve animal welfare but considerably reduce administrative costs for transporters, who would no longer need to carry any documentary evidence in the vehicles. | - € 1 361.0                | - 60 % | Under preparation |
| Reference of the original acts: Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations |   |  |   |                            |        |                   |
| Reference of the measure under preparation/consideration: -  |   |  |   |                            |        |                   |

| No   | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |  | Progress                                    |
|--|---|---|--|----------------------------|--|---|
| 5  | Reducing the number of <b>veterinary checks on intra-community maritime trade</b> | <p>It is necessary to reduce the number of checks on live animals and animal products arriving at EU border inspection posts which have already been cleared for the EU market (intra-Community maritime trade).</p> <p>New guidance will be issued about checks on live animals and animal products, to specify that consignments arriving at EU border inspection posts which have already been cleared for the EU market are exempt.</p> | This clarification is expected to help farmers and traders engaged in livestock transport, who will spend less time cooperating with veterinary inspections. |                            |  | Under preparation<br>Target date<br>2009/10 |
| Reference of the original act: Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra- Community trade with a view to the completion of the internal market; |   |   |  |                            |  |   |

Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market

Reference of the measure under preparation/consideration:

| No | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |         | Progress           |
|----|---|---|--|----------------------------|---------|--------------------|
| 6  | <b>Eliminating veterinary border inspections posts between the EU and Switzerland</b> | As a consequence of Switzerland having aligned its animal health and welfare standards on European standards, it has become possible to eliminate border inspection posts along the Swiss border. | Operators importing livestock and consignments of animal products from third countries via Switzerland no longer need to undergo documentary and/or physical checks and inspections at border points with Switzerland. This has considerably reduced red tape on such movements (some 32 000 consignments per year). | - € 1.3                    | - 100 % | Adopted<br>2008/09 |

Reference of the original act: Commission Decision of 7 December 2001 drawing up a list of border inspection posts agreed for veterinary checks on animals and animal products from third countries and updating the detailed rules concerning the checks to be carried out by the experts of the Commission

Reference of the measure adopted: Commission Decision of 10 September 2008 amending Decisions 2001/881/EC and 2002/459/EC as regards the list of border inspection posts

| No | Measure  | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |        | Progress           |
|----|--|--|---|----------------------------|--------|--------------------|
| 7  | <b>Streamlining legislation on the production, marketing and use of animal by-products</b> | Animal by-products (ABP) are not intended for human consumption. They are subjected to a number of obligations such as keeping record of ABP consignments, getting authorisation for dispatch to another Member State. The Commission proposed to clarify rules and set a framework for more risk-proportionate requirements on the collection, use and disposal of ABP by producers and farmers, while preserving current high levels of protection against risks to public and animal health. The application of health legislation will be adjusted in a more proportionate way to the specifics of | This measure will benefit a wide range of sectors, including photographic film producers, gelatine manufacturers, fat processors, slaughterhouses, oleochemical plants, pharmaceutical companies, veterinary product companies, diagnostic material producers, tanners, and cosmetic producers. Thanks to new exemptions, fewer establishments will need to collect less legal information about production, transport and use of ABP. Administrative requirements such as keeping records of consignments, or applying for the approval of plants for ABP purposes, will be easier to comply with and impose fewer burdens. Time spent cooperating with official inspections will be reduced thanks to a system of recognised self-checks. | - € 21.2                   | - 16 % | Adopted<br>2009/10 |

|   |  |   |  |  |  |  |
|---|--|---|--|--|--|--|
|   |  | the wide range of sectors engaged in ABP production; the procedure for the approval of production facilities will be lightened. | It will be easier to keep informed about a more consistent, streamlined legislation. |  |  |  |
| Reference of the original act: Regulation (EC) No 1774/2002 laying down health rules concerning animal by-products not intended for human consumption   |  |   |  |  |  |  |
| Reference of the measure adopted: Regulation of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products not intended for human consumption |  |   |  |  |  |  |

| No   | Measure   | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |        | Progress           |
|--|---|---|---|----------------------------|--------|--------------------|
| 8  | Abolishing authorisation procedures and simplifying labelling requirements for feed materials | Certain products such as bio-proteins present very low risks in terms of health and safety. In retrospect, pre-market authorisation procedures were clearly disproportionate and have been abolished. The other authorisations are longer based on pre-defined feed groups, but on the level of risk. Labelling requirements, previously set in 4 main Council Directives and about 50 implementing or amending acts, are now consolidated in one act. Some requirements are abolished such as the mandatory declaration of percentage for compound feed materials. | The repeal of pre-market authorization of new bio-proteins will contribute to boost the production and marketing of bio-proteins, encourage the development of new proteins, and remove a particularly irritating burden for producers.<br><br>Feed and pet food operators (some 20,000 establishments) will greatly benefit from the simplification of labelling requirements, especially for firms selling large quantities and/or a high number of different products. Labels will need to be changed less frequently. | - € 2.0                    | - 27 % | Adopted<br>2009/07 |
| Reference of the original act: Council Directive 96/25/EC of 29 April 1996 on the circulation of feed materials; Commission Directive 98/67/EC of 7 September 1998; Council Directive 79/373/EEC of 2 April 1979 on the circulation of compound feeding stuffs; Council Directive 93/74/EEC of 13 September 1993 on feeding stuffs intended for particular nutritional purposes; Council Directive 82/471/EEC of 30 June 1982 concerning certain products used in animal nutrition |   |   |   |                            |        |                    |
| Reference of the measure adopted: Regulation (EC) No 767/2009 of the European Parliament and of the Council of 13 July 2009 on the placing on the market and use of feed   |   |   |   |                            |        |                    |

| No | Measure   | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |  | Progress            |
|----|---|--|---|----------------------------|--|---------------------|
| 9  | Simplifying and enhancing the Community plant health regime | In the framework of the current evaluation of the Community plant health regime, the | One of the objectives of the evaluation is to reduce administrative costs for up to 5 million enterprises |                            |  | Under consideration |

|   |  |  |  |  |  |
|---|--|--|--|--|--|
|   | Commission is studying the possibility of reducing administrative burdens arising from plant health controls, in particular plant passport controls involving registration and reporting obligations, while respecting the objectives of the regime.<br><br>The evaluation of the Community Plant Health Regime started in June 2009 | (growers and operators in the trade chain of plants and plant products), thereby boosting competitiveness, while preserving a high level of plant health protection and food security. |  |  |  |
| Reference of the original act: Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community |  |  |  |  |  |
| Reference of the measure under preparation/consideration: -   |  |  |  |  |  |

| No  | Measure   | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |       | Progress           |
|---|---|---|---|----------------------------|-------|--------------------|
| 10  | <b>Setting a common and shorter authorisation procedure for food improvement agents</b> | The new act establishes a simplified common authorization procedure for food additives, flavourings and enzymes, based where necessary on scientific opinions from the European Food Safety Authority (EFSA). It clearly fixes delays for the assessment of safety and risk management exercise.<br><br>The elimination of the distinction between Natural Identical and Artificial flavouring substances, both chemically synthesized, results in fewer administrative requirements for producers, by harmonising the provisions in all Member States. | Producers will be able to obtain authorization of a new food additive much faster, as this will no longer require a co-decision procedure. Thus the time-to-market of new products will be drastically reduced. The alignment of labelling obligations for additives on provisions applicable to food labelling and the elimination of differentiations by products will also ease labelling obligations for producers. | - € 0.1                    | - 5 % | Adopted<br>2008/12 |
| Reference of the original acts: Council Directive 89/107/EEC of 21 December 1988 on the approximation of laws of the Member States concerning food additives authorised for use in foodstuffs intended for human consumption; Council Directive 88/388/EEC on the approximation of the laws of the Member States relating to flavourings for use in foodstuffs and to source materials for their production; Regulation (EC) No 2232/96 of 28 October 1996 laying down a Community procedure for flavouring substances used or intended for use in or on foodstuffs |   |   |   |                            |       |                    |
| Reference of the measures adopted: Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings; Regulation (EC) No 1332/2008 of 16 December 2008 on food enzymes; Regulation (EC) No 1333/2008 of the European Parliament and of the Council of  |   |   |   |                            |       |                    |

16 December 2008 on food additives; Regulation (EC) No 1334/2008 of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods

| No | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |        | Progress            |
|----|---|---|--|----------------------------|--------|---------------------|
| 11 | <b>Simplifying general food labelling and nutrition labelling</b> | <p>The Commission has proposed to modernise and improve EU food labelling rules.</p> <p>This would clarify the responsibilities regarding food labelling for the different food business operators along the supply chain, and provide the EU consumers with the essential information on food, in a legible and understandable manner. The Commission proposal also stipulated that majority of processed food would have to display key nutrition information on the front of the package.</p> <p>The net increase of costs arises mainly from the new obligation for vendors to signal any ingredient causing allergies or intolerances, for non-prepackaged food.</p> | <p>If the measure is adopted, the consolidation of legal texts will reduce the amount of legal data the companies need to gather while improving consumer information (in particular about allergens).</p> <p>Precise effects of the changes will depend on national implementation, but an estimated 2 000 000 establishments (retailers, restaurants, hotels) will be concerned.</p> | + € 103.8                  | + 57 % | Proposed<br>2008/01 |

**Reference of the original acts:** Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs; Council Directive 90/496/EEC of 24 September 1990 on nutrition labelling for foodstuffs.

**Reference of the measure proposed:** Proposal of 30 January 2008 for a Regulation of the European Parliament and of the Council on the provision of food information to consumers - COM(2008)40

| No | Measure   | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |  | Progress            |
|----|---|--|---|----------------------------|--|---------------------|
| 12 | <b>Identifying technological solutions for small shops that would ease the burden imposed by the obligation to display the unit price</b> | Some small shops complain about the effects of the obligation to display the unit price on products, alongside the selling price. As they are most often not part of a larger organisation that generates these prices through an IT system, their operating costs are higher, compared to larger shops. | Some 0.3 million small local shops selling food and luxury products, kiosks and small ambulant vendors, particularly in rural areas could benefit from such technological solutions. They would save time spent on gathering price information, calculating and displaying the unit prices. |                            |  | Under consideration |

|  |  |  |  |  |  |
|--|--|--|--|--|--|
|  |  | The Commission could review technological solutions able to alleviate the burden on small shops in the European Union. |  |  |  |
| Reference of the original act: Directive 98/6/EC of 16 February 1998 on consumer protection in the indication of the prices of products offered to consumers |  |  |  |  |  |
| Reference of the measure under preparation/consideration: -  |  |  |  |  |  |



## 8. SECTORAL REDUCTION PLAN FOR PHARMACEUTICAL LEGISLATION

The EU legislation on Pharmaceutical products is estimated to account for less than one percent (0.7 %) of the total administrative costs measured for the 13 priority areas. Three major legal acts were scrutinised. Out of the 45 information obligations identified, five have been found to be of particular importance in terms of the high burdens stemming from them. They relate to the application needed for marketing authorisation, the notification on planned changes in the marketing authorisation, the submission of a periodic safety report, the request for authorisation to commence a clinical trial and the registering of detailed records of suspected adverse reactions.

Despite major progress achieved, there is still room to improve the smooth functioning of the EU internal market for pharmaceuticals. On the regulatory side, issues with the implementation and interpretation of Community legislation by Member States continue to create obstacles to the free movement of medicines and fragment the EU market.

In order to optimise, simplify and rationalise the regulatory processes and to achieve concrete benefits for European consumers, patients and for animal health in a rapidly changing world of scientific advances in medicines, the Commission has adopted concrete measures aiming at reviewing and simplifying the EU pharmaceutical legislation.

Six measures to reduce the burden have been adopted, proposed or are under preparation. Preliminary figures show a reduction of EUR 154.5 million.

*\* Change in the level of AB of EU origin: absolute figures are given in million euros; percentages relate to the AB of the original act.*

| No  | Measure   | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |       | Progress                      |
|---|---|--|--|----------------------------|-------|-------------------------------|
| 1   | Simplifying the procedure to report " <b>Variations</b> " (changes) to medicines already authorised for marketing | Pharmaceutical companies spend a lot of time reporting sometimes minor changes (to packaging, number of pills, etc.) called "variations" to medicines already approved. Improvements have been introduced as part of a major revision of this legislation.<br><br>The reform applies to both human and veterinary medicines. Pharmaceutical companies which are marketing authorisation holders (MAHs) will need to report a far smaller number of changes to their products. Specific requirements for nationally authorised products will be replaced by common rules, | The aim of the reform is to considerably facilitate and speed up changes to the marketing authorisation of medicinal products. | - € 40.0                   | - 6 % | Adopted<br>2008/11<br>2009/06 |
| Reference of the original act: Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use         |   |  |  |                            |       |                               |
| Reference of the measures adopted: Commission Regulation (EC) No 1234/2008 of 24 of November 2008 concerning the examination of variations to the terms of marketing authorisations for medical |   |  |  |                            |       |                               |

products for human use and veterinary medicinal products; Directive 2009/53/EC of the European Parliament and of the Council of 18 June 2009 amending Directive 2001/82/EC and Directive 2001/83/EC, as regards variations to the terms of marketing authorisations for medicinal products.

| No | Measure  | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |       | Progress            |
|----|--|---|--|----------------------------|-------|---------------------|
| 2  | Simplifying <b>pharmacovigilance</b> reporting obligations | <p>Pharmaceutical companies undergo excessive administrative costs reporting adverse reactions to regulatory authorities (cf. duplication of transmissions as far as the reports on adverse reactions are concerned).</p> <p>A simplified "pharmacovigilance system master file" would be required in support of the marketing authorisation, but this is balanced by the requirement to maintain a detailed file on site. Adverse reaction reporting would be simplified, resulting in fewer, more relevant periodic safety updated reports (PSURs) being prepared by Pharmaceutical companies which are marketing authorisation holders .</p> | <p>Pharmaceutical companies which are marketing authorisation holders (MAHs) would benefit from a clearer definition of tasks and responsibilities, especially the duty to monitor the safety of products.</p> <p>The reform would considerably facilitate reporting on pharmacovigilance measures by pharmaceutical companies. Resources put on reporting obligations would be better employed analysing the data concerning the measurable effects of medicines.</p> | - € 61.0                   | - 8 % | Proposed<br>2008/10 |

Reference of the original act: Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use

Reference of the measure proposed: Proposal for a Directive of the European Parliament and the Council as regards pharmacovigilance, COM(2008) 665 of 10 December 2008

| No | Measure  | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |        | Progress             |
|----|--|--|---|----------------------------|--------|----------------------|
| 3  | Simplifying the application to commence a <b>clinical trial</b> required to test new medicines | <p>Within the review of the legislation on clinical trials (announced by the Commission in December 2008), there is an opportunity to reduce red tape imposed on companies seeking to develop new medicines, which need to be tested on patients (hence the clinical trials). The system is particularly complex for clinical trials conducted in several Member States at</p> | <p>Applications filed by pharmaceutical companies seeking the authorisation to conduct a clinical trial would be reduced in number and complexity. The number of events that companies need to notify to regulators would be reduced.</p> <p>The reduction potential of the reform under preparation will depend on the approach eventually taken. The number provided here is the median value</p> | - € 37.4                   | - 25 % | Under<br>preparation |

|   |   |  |  |  |  |
|---|---|--|--|--|--|
|   | <p>once.</p> <p>Various ways of introducing more harmonisation and sharing of information are being envisaged, to reduce the number of applications and limit the supporting documentation required, especially for multinational trials. Improved guidance would be prepared to clarify which changes in the trial protocols need to be reported to the regulator (cf. in particular clarification of "substantial amendments" i.e. changes to the conditions of the authorised trial). Also, the reporting system for safety information would be streamlined</p> <p>The target date for the impact assessment is 2010.</p> | within a large variation of possible benefits. |  |  |  |
| <p><b>Reference of the original act:</b> Directive 2001/20/EC of the European Parliament and of the Council of 4 April 2001 on the approximation of laws, regulations and administrative provisions of the Member States relating to the implementation of good clinical practice in the conduct of clinical trials on medicinal products for human use</p> |   |  |  |  |  |
| <p><b>Reference of the measure under preparation/consideration:</b> Communication on Safe, Innovative and Accessible Medicines: a Renewed Vision for the Pharmaceutical Sector, COM(2008) 666</p>   |   |  |  |  |  |

| No   | Measure  | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |        | Progress          |
|--|--|---|---|----------------------------|--------|-------------------|
| 4  | Reducing administrative burdens resulting from the <b>veterinary medicines</b> legislation | <p>There is a need to streamline the procedure by which manufacturers apply for the authorisation to market veterinary medicines, while preserving a high level of consumer safety with respect to food of animal origin.</p> <p>The target date for the impact assessment is 2010.</p> | <p>The administrative burden for pharmaceutical companies producing veterinary medicines would be reduced: streamlined procedure for the marketing application, easier reporting of variations, lightening of pharmacovigilance requirements.</p> <p>The reduction potential of the reform under preparation will depend on the approach eventually taken. The number provided here is the median value within a large variation of possible benefits</p> | - € 16.1                   | - 25 % | Under preparation |
| <p><b>Reference of the original act:</b> Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products</p>         |  |   |   |                            |        |                   |
| <p><b>Reference of the measure under preparation/consideration:</b> Communication of the Commission to the European Parliament pursuant to the second subparagraph of Article 251 (2) of the EC Treaty</p> |  |   |   |                            |        |                   |

concerning the common position of the Council on the adoption of a proposal for a Regulation of the European Parliament and of the Council laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, and repealing Regulation (EEC) No 2377/90 (COM(2008) 912 final, "declaration", item 5)

| No | Measure  | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |         | Progress           |
|----|--|--|---|----------------------------|---------|--------------------|
| 5  | Simplifying Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin | The revision of the maximum residue limits (MRL) legislation has facilitated the marketing authorisation procedure for veterinary medicines. | The administrative burden for pharmaceutical companies has been reduced by three changes to the application procedure: <ul style="list-style-type: none"> <li>– lifting the need to present a specific scientific assessment of active substances which have already been assessed by Codex;</li> <li>– limiting the scientific data required in support of the application for additional species (use of extrapolation);</li> <li>– new, harmonised, MRL control standards for certain residues in food, to be applied in all Member States.</li> </ul> | - € 0.1                    | - 0.1 % | Adopted<br>2009/05 |

**Reference of the original acts:** Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products; Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin

**Reference of the measure adopted:** Regulation (EC) No 470/2009 of the European Parliament and of the Council laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council

| No | Measure   | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |  | Progress            |
|----|---|--|---|----------------------------|--|---------------------|
| 6  | Streamlining the processing of the marketing authorization for medicinal products for human use | The communications between pharmaceutical companies and national authorities would be further streamlined by generalising and harmonising the use of electronic submission of the marketing application and the notification of changes. | Pharmaceutical companies would see their pre-marketing paper work reduced when they are able to file one single submission with standardised documentation to obtain the marketing authorisation. Administrative costs would be further reduced thanks to the generalisation of the possibility of submitting the periodic safety reports and the notifications of changes to authorized products in electronic format. |                            |  | Under consideration |

Reference of the original act: Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use

Reference of the measure under preparation/consideration: -

## 9. SECTORAL REDUCTION PLAN FOR PUBLIC PROCUREMENT

"Public Procurement" is an area where businesses perceive a potential for the reduction of administrative burden and the removal of irritants. An important part of the administrative complexity and of the costs results from the national implementation of the EU public procurement legislation. Accordingly, reduction efforts have been focused on improving the practical application of the provisions. A soft-law approach, such as sharing best practices and developing joint standards, is preferable to legislative action. The European Code of Best Practices (SEC(2008)2193) for instance has been drawn up as a guide for contracting authorities on how to facilitate access by SMEs to participate in public tender procedures. Among other principles, it recommends that only the winner of the tender has to provide the full documentation and that each tendering enterprise has to provide the same information only once in a given period.

Stakeholders have singled out the potential of E-procurement as a way to reduce administrative burdens related to the public procurement directives. E-procurement benefits businesses by reducing the time and costs associated with public procurement procedures. Realising this potential requires alignment on common architectures and processes for organisation of e-procurement procedures, and use of inter-operable systems which are open to the widest range of potential tenderers. The Commission is therefore implementing a strategy to promote the shift from traditional (paper/mail-based) procurement procedures to e-procurement based on the 2004 EU Action Plan for e-procurement. The two measures presented here are aimed at reducing transaction costs linked to the submission of evidentiary documents that suppliers are usually required to provide to participate in a tender procedure. These initiatives do not require any new legislative action. However, technical solutions need to be road-tested and then rolled out across the EU. This work is currently underway – in particular through the large-scale cross-border pilot project 'PEPPOL' ('Pan-European Public procurement Online'), which serves as a testpad for the proposed actions.

*\* Change in the level of AB of EU origin: absolute figures are given in million euros; percentages relate to the AB of the original act.*

| No   | Measure  | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |       | Progress           |
|--|--|---|--|----------------------------|-------|--------------------|
| 1  | <b>Submitting tender documents for public procurement only by the winning enterprise and only once</b> | For open procedures only the winning tenderer(s) should be requested to submit the relevant original certification while for candidates a mere declaration on their honour that they comply with the exclusion/selection criteria is sufficient. No tendering company would be asked to resubmit documents it has recently submitted. | On the basis of this recommendation, in open procedures (which represent 70 % of all tendering procedures) 4 out of 5 tenderers on average would no longer be obliged to submit all the relevant original certificates. Most tenderers in any given tender have submitted these certificates previously and would therefore benefit from being exempted from the obligation to submit again. | - € 12.5                   | - 6 % | Adopted<br>2008/06 |
| <p><b>Reference of the original act:</b> Directive 2004/17/EC of the European Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors; Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public work contracts, public supply contracts and public service contracts</p> |  |   |  |                            |       |                    |
| <p><b>Reference of the measure adopted:</b> European Code of Best Practices Facilitating Access by SMEs to Public Procurement Contracts, SEC(2008) 2193</p>  |  |   |  |                            |       |                    |

| No | Measure   | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |        | Progress                     |
|----|---|--|--|----------------------------|--------|------------------------------|
| 2  | Creating a <b>'Virtual Company Dossier'</b> for businesses in public procurement procedures | Definition of standard technical specifications for the creation of VCD's for the use of any undertaking that is interested in public procurement procedures for any national public procurement authorities via the creation of online storage points for supporting evidentiary certificates and documents to be used in public procurement procedures. The VCD is a very important milestone of the above mentioned PEPPOL project. | The VCD supports economic operators in any European country to utilise company information already registered somewhere in its home country and to submit these certificates and attestations electronically in any public procurement procedure of any awarding entity in Europe. | - € 47.6                   | - 22 % | Under preparation<br>2010/Q4 |

Reference of the original act: Directive 2004/17/EC of the European Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors; Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public work contracts, public supply contracts and public service contracts

Reference of the measure under preparation: [http://www.peppol.eu/Work\\_packages/wp2-virtual-company-dossier](http://www.peppol.eu/Work_packages/wp2-virtual-company-dossier)

| No | Measure   | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |  | Progress                  |
|----|---|---|---|----------------------------|--|---------------------------|
| 3  | Creating an <b>online information database on business certificates</b> for public procurement procedures | Creation on the Commission's website of an online information database on business certificates and documents frequently required in public procurement procedures. | It will be easier for businesses and procurement authorities to familiarise themselves with evidentiary documents required / available, both on paper and in electronic format. This is especially important in a cross-border tendering context. Businesses will also find it easier to use such certificates in an electronic format, e.g. via a VCD (see above), thereby facilitating tendering procedures globally. |                            |  | Under preparation<br>2010 |

Reference of the original acts: Directive 2004/17/EC of the European Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors; Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public work contracts, public supply contracts and public service contracts

Reference of the measure under preparation: Feasibility study [http://ec.europa.eu/internal\\_market/publicprocurement/docs/eprocurement/ecertificates-study\\_en.pdf](http://ec.europa.eu/internal_market/publicprocurement/docs/eprocurement/ecertificates-study_en.pdf)

## 10. SECTORAL REDUCTION PLAN FOR STATISTICS

Statistical legislation accounts for a small part of the total administrative burden of EU origin. Nevertheless, surveys give rise to irritation and as such the perceived burden is higher than the real burden of statistics. This part of EU legislation is output orientated: it defines what a Member State has to deliver in terms of statistical information, but not how this information has to be collected; each Member State decides how it will produce necessary data. It means that effective reduction of administrative burdens relies to a large extent on efforts (to be) made at Member State level.

The current ways of producing statistics limit the potential for further major burden reduction – without impact on the quality and relevance of the data. Therefore the Commission (Eurostat) has developed a strategy<sup>19</sup> to build a modern and integrated statistical system with the aim of improving the efficiency of the production process of statistics. The new legal framework for the production of European statistics<sup>20</sup> has paved the way for re-engineering the whole architecture of the European Statistical System (ESS).

In the area of business and trade statistics this strategy is supported by the Programme for the Modernisation of European Enterprise and Trade Statistics (MEETS)<sup>21</sup>. Projects within MEETS cover e.g. the improvement of legal and technical aspects of data collection for Intrastat (including studying the possibility of introducing a single flow reporting system), more efficient use of administrative data in business statistics and Intrastat and the linking of micro data from different surveys of business and external trade statistics.

It is worth noting that the reduction of administrative burden did not start with this legislature. Reduction measures marked by "\*\*\*" in this Sectoral Plan have their origin in a legislative proposal tabled by the previous Commission. This Commission however decided to maintain these proposals and defended them in the legislative deliberation. The reduction potential of these measures amounts to EUR 199.1 million.

*\* Change in the level of AB of EU origin: absolute figures are given in million euros; percentages relate to the AB of the original act.*

| No | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |        | Progress                                 |
|----|---|---|--|----------------------------|--------|--|
| 1  | Reducing the number of respondents for compiling statistics on intra-EU trade | In order to produce trade statistics (Intrastat), enterprises have to report on their import and export of goods within the Union. The Union allowed Member States to increase in 2005 and 2009 their reporting thresholds in two | The number of reporting enterprises may be reduced from around 720 000 in 2004 to around 350 000 in 2010, i.e. a reduction in the surveyed population of enterprises of roughly 52 %. This would greatly benefit SMEs. The administrative burden reduction | - € 134.3                  | - 47 % | Adopted<br>2005/01<br>(entry into force) |

<sup>19</sup> COM(2009) 404 on the production method of EU statistics: a vision for the next decade

<sup>20</sup> Regulation (EC) No 223/2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities, in force from 1 April 2009

<sup>21</sup> Decision No 1297/2008/EC of the European Parliament and of the Council of 16 December 2008 on a Programme for the Modernisation of European Enterprise and Trade Statistics



|  |  |   |  |  |  |         |
|--|--|---|--|--|--|---------|
|  |  | revisions of the legislation; Member States may exempt some enterprises from Intrastat reporting as long as the national statistics transmitted to the Commission cover the value of at least 97 % of dispatches and at least 95 % of arrivals. | will be achieved if all Member States adjust their national reporting thresholds to the levels authorised by the EU legislation. |  |  | 2009/03 |
|--|--|---|--|--|--|---------|

Reference of the original act: Council Regulation (EEC) No 3330/91 of 7 November 1991 on the statistics relating to the trading of goods between Member States

Reference of the measures adopted: Regulation (EC) 638/2004 of the European Parliament and of the Council of 31 March 2004 on Community Statistics relating to the trading of goods between Member States \*\*; Regulation (EC) No 222/2009 of the European Parliament and of the Council of 11 March 2009 amending Regulation (EC) No 638/2004 on Community statistics relating to the trading of goods between Member States

| No | Measure   | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |  | Progress            |
|----|---|---|---|----------------------------|--|---------------------|
| 2  | Reducing reporting requirements for compiling statistics on <b>intra-EU trade</b> | Steps to reduce the statistical burden further, while maintaining statistics which meet the necessary quality standards will be reviewed. Such steps could include (a) further reducing the compulsory minimum coverage rates from today's 95 % coverage for imports and 95 % for exports; and (b) future introduction of a single flow system (i.e. reporting only export data). | Lowering the coverage rates will have an immediate beneficial effect on businesses, in particular SMEs. The actual reduction depends on the coverage.<br><br>With a single flow system, only enterprises with export will have to report, and only on their actual export. The administrative burden reduction will depend on the coverage that will be determined. |                            |  | Under consideration |

Reference of the original acts: Council Regulation (EEC) No 3330/91 of 7 November 1991 on the statistics relating to the trading of goods between Member States replaced by Regulation (EC) 638/2004 of the European Parliament and of the Council of 31 March 2004 on Community Statistics relating to the trading of goods between Member States

Reference of the measure under preparation / consideration: -

| No | Measure  | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |  | Progress          |
|----|--|---|--|----------------------------|--|-------------------|
| 3  | Reducing the administrative burden on businesses by introducing <b>enhanced eGov solutions</b> | Enhanced eGovernment solutions for Intrastat and synergy with the VAT domain. This is mainly a responsibility for national authorities, but the Commission could facilitate progress in this area, e.g. under the | The burden reduction potential varies between Member States. The potential burden reduction stemming from increases automatic filing through the deployment of a common taxonomy for Intrastat is on average 3 %. Main beneficiaries are SMEs. |                            |  | Under preparation |

|  |  |  |  |  |  |
|--|--|--|--|--|--|
|  | Modernisation of European Enterprise and Trade Statistics (MEETS) programme. |  |  |  |  |
| Reference of the original acts: Council Regulation (EEC) No 3330/91 of 7 November 1991 on the statistics relating to the trading of goods between Member States replaced by Regulation (EC) 638/2004 of the European Parliament and of the Council of 31 March 2004 on Community Statistics relating to the trading of goods between Member States |  |  |  |  |  |
| Reference of the measure under preparation / consideration: -  |  |  |  |  |  |

| No   | Measure  | Description of the Measure   | Description of the Outcome | Change in the Level of AB* |  | Progress                     |
|--|--|--|----------------------------|----------------------------|--|------------------------------|
| 4  | Updating the statistics on <b>fruit trees</b> in line with today's needs | <p>Proposal for a new regulation concerning the statistics to be produced by the Member States in order to determine the production potential of plantations of certain species of fruit trees and wine areas.</p> <p>The Commission could propose to reduce the number of variables requested in the orchard survey; the establishment of thresholds at national level allowing exemptions from reporting; and further use of administrative and other sources instead of surveys</p> |                            |                            |  | Under preparation<br>2009/Q4 |
| Reference of the original act: Council Directive 2001/109/EC of the European Parliament and of the Council of 19 December 2001 on the statistical surveys on the production potential of plantations of certain species of fruit trees |  |  |                            |                            |  |                              |
| Reference of the measure under preparation/consideration: -  |  |  |                            |                            |  |                              |

| No | Measure   | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |        | Progress           |
|----|---|--|---|----------------------------|--------|--------------------|
| 5  | Reducing reporting obligations on <b>pig livestock and meat</b> | The directive on pig production statistics has been merged with a directive on bovine animal production statistics and one on sheep / goat statistics into a single regulation concerning livestock and meat statistics. The | The use of administrative sources other than surveys to compile the statistics will no longer oblige countries to submit an official request to the Commission. The new regulation is expected to exempt 14 Member States from reporting on pigs. | - € 3.7                    | - 37 % | Adopted<br>2008/11 |

|   |  |  |  |  |  |  |
|---|--|--|--|--|--|--|
|   |  | new regulation facilitates the use of sources other than surveys and reduces the reporting frequency for certain data (agricultural holdings). |  |  |  |  |
| Reference of the original act: Council Directive 93/23/EEC of 1 June 1993 on the statistical surveys to be carried out on pig production                                  |  |  |  |  |  |  |
| Reference of the measure adopted: Regulation (EC) No 1165/2008 of the European Parliament and of the Council of 19 November 2008 concerning livestock and meat statistics |  |  |  |  |  |  |

| No  | Measure  | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |       | Progress           |
|---|--|---|--|----------------------------|-------|--------------------|
| 6   | Reducing reporting obligations on <b>bovine livestock and meat</b> | The directive on bovine animal production statistics has been merged with a directive on pig production statistics and one on sheep / goat statistics into a single regulation concerning livestock and meat statistics. The new regulation facilitates the use of sources other than surveys and reduces the reporting frequency for certain data (agricultural holdings). | The use of administrative sources other than surveys to compile the statistics will no longer oblige countries to submit an official request to the Commission. The new regulation is expected to exempt 14 Member States from reporting on bovines. | - € 1.2                    | -10 % | Adopted<br>2008/11 |
| Reference of the original act: Council Directive 93/24/EEC of 1 June 1993 on the statistical surveys to be carried out on bovine animal production                        |  |   |  |                            |       |                    |
| Reference of the measure adopted: Regulation (EC) No 1165/2008 of the European Parliament and of the Council of 19 November 2008 concerning livestock and meat statistics |  |   |  |                            |       |                    |

| No | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |        | Progress               |
|----|---|---|--|----------------------------|--------|------------------------|
| 7  | Reducing reporting requirements on <b>industrial production in the EU</b> | For statistics on industrial production in the EU (Prodcom), the products to be reported on are stated in the Prodcom list. An important review took place in 2005 regarding the number of products surveyed, the information required on each product and the frequency for certain surveys (all reports are now annually, while some were quarterly). | The Prodcom simplification since 2005 resulted in a reduction in the number of headings of approximately 56 %. | - € 101.6                  | - 54 % | Adopted<br>2005 – 2009 |

**Reference of the original act:** Council Regulation (EEC N) 3924/91 of 19 December 1991 on the establishment of a Community survey of industrial production (Prodcom) (Annual Prodcom list 210/2004)

**Reference of the measures adopted:** The Annual Prodcom lists implementing Council Regulation 3924/91: Commission Regulation (EC) No 36/2009 of 11 July 2008 establishing for 2008 the Prodcom list of industrial products; Commission Regulation (EC) No 1165/2007 of 3 September 2007 establishing for 2007 the Prodcom list of industrial products; Commission Regulation (EC) No 294/2007 of 20 February 2007 establishing for 2006 the Prodcom list of industrial products; Commission Regulation (EC) No 317/2006 of 22 December 2005 establishing for 2005 the Prodcom list of industrial products

| No | Measure   | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |        | Progress           |
|----|---|--|---|----------------------------|--------|--------------------|
| 8  | Reducing reporting requirements for <b>Structural Business Statistics</b> | The Structural Business Statistics (SBS) provides data on the structure of the business economy. The new regulation introduced simplifications with effect from 2008 with the aim of reducing the amount of data to be collected from businesses as well as the frequency of certain data collections. | If Member States fully exploit all legal possibilities given by the 2008 regulation (Annexes I to IV and Annexe VIII), this would result in a reduction of the number of individual information requirements that EU Member States have to send to Eurostat, and with that similarly reducing the burden on their businesses. The potential net reduction of such requirements is estimated to be 17 %. | - € 19.0                   | - 18 % | Adopted<br>2008/03 |

**Reference of the original act:** Council Regulation (EC, Euratom) No 58/97 of 20 December 1996 concerning structural business statistics

**Reference of the measure adopted:** Regulation (EC) 295/2008 of the European Parliament and the Council of 11 March 2008 concerning structural business statistics

| No | Measure   | Description of the Measure  | Description of the Outcome | Change in the Level of AB* |  | Progress          |
|----|---|---|----------------------------|----------------------------|--|-------------------|
| 9  | Reducing the administrative burden for businesses stemming from <b>Structural Business Statistics surveys</b> | Better use of eGovernment-solutions (using XBRL or other appropriate standards) may improve the exchange of information between different administrations in the Member States, and may make surveys at national level redundant. This is mainly an issue for Member states, but the Commission could facilitate the use of Information Technology. |                            |                            |  | Under preparation |

**Reference of the original acts:** Council Regulation (EC, Euratom) No 58/97 of 20 December 1996 concerning structural business statistics replaced by Regulation (EC) 295/2008 of the European

|  |
|--|
| Parliament and of the Council of 11 March 2008 concerning structural business statistics |
| Reference of the measure under preparation / consideration: -                            |

| No   | Measure  | Description of the Measure  | Description of the Outcome | Change in the Level of AB* |  | Progress            |
|--|--|---|----------------------------|----------------------------|--|---------------------|
| 10   | Simplifying the statistics on business investments for <b>environmental purposes</b> | There could be better guidance to businesses on the questions related to business investments for environmental purposes. |                            |                            |  | Under consideration |
| Reference of the original acts: Council Regulation (EC, Euratom) No 58/97 of 20 December 1996 concerning structural business statistics replaced by Regulation (EC) 295/2008 of the European Parliament and the Council of 11 March 2008 concerning structural business statistics |  |   |                            |                            |  |                     |
| Reference of the measure under preparation / consideration: -  |  |   |                            |                            |  |                     |

| No   | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |        | Progress           |
|--|---|---|--|----------------------------|--------|--------------------|
| 11   | Reducing reporting requirements for <b>statistics on Information and Communication Technologies</b> | Simplify ordinary and sector questionnaire through which businesses provide information on their use of Information and Communication Technologies.<br><br>The number of mandatory variables to be collected was reduced significantly and the special module on e-commerce for the financial sector was dropped. The total number of indicators was reduced from 70 for all enterprises to 64 for enterprises outside the financial sector and 59 for enterprises within the financial sector. | On the basis of the new EU requirements the number of businesses under surveyed went down from 137 500 to 110 000. | - € 3.7                    | - 25 % | Adopted<br>2007/07 |
| Reference of the original act: Regulation (EC) No 808/2004 of the European Parliament and of the Council of 21 April 2004 concerning Community statistics on the information society   |   |   |  |                            |        |                    |
| Reference of the measure adopted: Commission Regulation (EC) No 847/2007 of 18 July 2007 implementing Regulation (EC) No 808/2004 of the European Parliament and of the Council concerning Community statistics on the information society |   |   |  |                            |        |                    |

| No  | Measure  | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |        | Progress           |
|---|--|--|---|----------------------------|--------|--------------------|
| 12  | Reducing reporting requirements for producing <b>Short-Term Statistics</b> | The 2005 amendment to the Short-Term Statistics (STS) regulation introduced several simplifications and measures to reduce the burden such as: (1) thresholds which significantly simplify reporting requirements for all but the six biggest Member States; (2) wider use of European sampling schemes which reduce overall sample sizes; and (3) reduction in the number of questions put to businesses. | Thanks to the 2005 decision, the administrative burden is 2 to 3 times lower than before. In a typical year, the around 930 000 out of 23 million European businesses that have to respond to the statistical survey related to the 39 short-term statistics indicators, spend on average 4 hours 20 minutes per year (21min per month) each to fill in the survey. | - € 64.8                   | - 48 % | Adopted<br>2005/07 |
| Reference of the original act: Council Regulation (EC) No 1165/98 of 19 May 1998 concerning short-term statistics                                       |  |  |   |                            |        |                    |
| Reference of the measure adopted: Regulation 1158/2005 of the European Parliament and of the Council of 6 July 2005 concerning short-term statistics ** |  |  |   |                            |        |                    |

| No   | Measure  | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |  | Progress                     |
|--|--|--|---|----------------------------|--|------------------------------|
| 13   | Reducing reporting requirements for statistics on <b>tourism</b> | The Commission is preparing a proposal which explicitly foresees the option of limiting the scope and exempting establishments with less than 10 bed places from the reporting obligations. If a Member State represents less than 1 % of the total number of nights spent in the EU (this concerns about half of the Member States), the exemption could apply to establishments with less than 20 bed places. Member States could be allowed to use appropriate statistical estimation techniques (instead of surveys) for compiling the statistics. | Given the structure of the accommodation sector, with many SMEs, this measure could have as an outcome that only the small share of large establishments (that often represent 85 % to 95 % of the nights spent) need to be contacted via a traditional survey. It should be pointed out that these larger establishments often dispose of automated information systems. |                            |  | Under preparation<br>2009/Q4 |
| Reference of the original act: Council Directive 95/57/EC of 23 November 1995 on the collection of statistical information in the field of tourism |  |  |   |                            |  |                              |

Reference of the measure under preparation / consideration: -

| No | Measure   | Description of the Measure  | Description of the Outcome | Change in the Level of AB* |  | Progress                     |
|----|---|---|----------------------------|----------------------------|--|------------------------------|
| 14 | Reducing reporting requirements on road transport | Malta and other islands as appropriate could be exempted from the Regulation. |                            |                            |  | Under preparation<br>2010/Q1 |

Reference of the original act: Council Regulation 1172/98 on statistical returns in respect of the carriage of goods by road

Reference of the measure under preparation / consideration: -

| No | Measure   | Description of the Measure   | Description of the Outcome | Change in the Level of AB* |  | Progress                     |
|----|---|--|----------------------------|----------------------------|--|------------------------------|
| 15 | Simplifying the legislation relating to statistics on sea transport | <p>The Commission is preparing a Draft Regulation amending Directive No 2009/42/EC (recast of Directive 95/64/EC). The objective is to modernise the legislation according to user needs and taking into account the statistical burden.</p> <p>This modification could allow:</p> <ul style="list-style-type: none"> <li>– making optional a mandatory variable (nationality of registration of vessels);</li> <li>– reduce the frequency (from quarterly to annually) of the transmission to Eurostat and dissemination of the statistics on passenger transport in the main European ports;</li> <li>– reduce the frequency (from quarterly to annually) of the transmission to Eurostat and dissemination of the statistics on vessel traffic in the main European ports.</li> </ul> |                            |                            |  | Under preparation<br>2009/Q4 |

Reference of the original act: Council Directive 95/64/EC of 8 December 1995 on statistical returns in respect of carriage of goods and passengers by sea

Reference of the measure under preparation / consideration: -



## 11. SECTORAL REDUCTION PLAN FOR TAXATION / CUSTOMS

EU legislation on Taxation and Customs is the most important priority area in terms of administrative costs and burdens imposed on businesses. The high figures on EU aggregate level are mainly due to the high number of companies affected by this legislation (notably relating to the VAT Directive) and the high frequency of required actions. They also reflect that fact Member States have comparatively transferred a lot of competences to the EU in these domains in order to set the Custom Union and the single market. The VAT directives<sup>22</sup> account for 93 % and the Customs Code<sup>23</sup> for 7 % of the total administrative burden. Within the VAT Directive the VAT-specific costs of accounting and invoicing and the costs of submitting VAT declarations have been found to result in high burdens due to the high number of times these activities are performed.

Increased use of Information and Communication Technologies (ICT) would bring a huge reduction of these costs. Accordingly, the Commission has put great emphasis on enabling and facilitating the use of electronic solutions for VAT and customs compliance. Interaction between traders and customs authorities will in the future be fully electronic. So will interaction between companies applying for a VAT refund and tax authorities. Furthermore, changes to VAT legislation will remove an important obstacle to electronic invoicing, thereby allowing enterprises to realize the huge savings potential of this technology. A move towards electronic solutions has also been identified as the most efficient option for reducing the administrative burdens related to the customs procedure.

Building on the success of the current VAT Strategy, consideration will be given for further modernization and administrative burden reduction. As part of this process, the Commission will consider the reduction suggestions tabled by stakeholders and the advice given by the High Level Group on Administrative Burdens in order to identify further reduction potential and, where appropriate, the level (EU or national) and means to realize it (e.g. legislative proposal, guidance document, IT tool, ...). The analysis will need to take full account of the EU strategy against VAT fraud. Consideration will also be given on how best to advance on reduction ideas concerning aspects of transposition and implementation by Member States (e.g. by disseminating good practices between Member States). For this, it will be of key importance to raise awareness and kindle interest among national tax administrations.

It is worth noting that the reduction of administrative burden did not start with this legislature. Reduction measures marked by "\*\*\*" in this Sectoral Plan have their origin in a legislative proposal tabled by the previous Commission. This Commission however decided to maintain these proposals and defended them in the legislative deliberation. The reduction potential of these measures amounts to EUR 5.3 billion.

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<sup>22</sup> PM. Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax is a recast of the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment. This recast did not affect pre-existing information obligations. For clarity sake, the reference to Directive 77/388 has been kept hereafter (changes in the level of administrative burdens refers indeed to the difference between the level of AB at the beginning of the legislature and the level of administrative burdens resulting from new set of rules / tools; for practical reasons the beginning of the legislature has been set at the first January 2005).

<sup>23</sup> PM. For the reasons mentioned in the footnote supra, the reference to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code has been kept. This Regulation has been amended by Regulation (EC) No 648/2005 of the European Parliament and of the Council of 13 April 2005.

## 11.1. Value Added Tax

*\* Change in the level of AB of EU origin: absolute figures are given in million euros; percentages relate to the AB of the original act.*

| No  | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |        | Progress            |
|---|---|---|--|----------------------------|--------|---------------------|
| 1   | Suppressing additional requirements on invoices and enabling wider use of <b>electronic invoicing</b> | The current rules on invoices in the VAT Directive allow Member States to impose additional requirements on invoices to make them VAT compliant. These additional requirements and the lack of harmonization among Member States in this regard, prevent enterprises from making full use of cost saving business practices such as electronic invoicing, self-billing and summary invoicing. The Commission proposed to abolish the possibility to introduce additional requirements. It also proposes to extend the scope of simplified invoices. | More than 22 million taxable persons in Europe could make greater use of time and cost-saving business practices. They could be sure that their electronic, summary or self-billing invoices will be accepted for VAT input deduction in all Member States as long as these invoices fulfil the general requirements imposed on all invoices by the VAT Directive. This would allow them to switch to a fully electronic invoicing system, which reduces the cost of issuing and processing the roughly 17 billion invoices annually issued in Europe to a fraction of the current costs. The maximum potential saving estimated for electronic invoicing is EUR 18.4 billion, while the savings regarding summary and self-billing invoices have been assessed at EUR 716 million. Finally, the extended use of simplified invoices brings savings of around EUR 100 million. | - € 18 803.8               | - 24 % | Proposed<br>2009/01 |
| Reference of the original act: Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment |   |   |  |                            |        |                     |
| Reference of the measure proposed: Proposal for a Council Directive amending Directive 2006/112/EC on the common system of value added tax as regards the rules on invoicing, COM(2009)21 of 28 January 2009                      |   |   |  |                            |        |                     |

| No | Measure  | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |        | Progress           |
|----|--|--|--|----------------------------|--------|--------------------|
| 2  | Suppressing, in the VAT refund procedure, the obligation to complete paper forms in the language of the Member State of refund | The rules for VAT refunds for taxable persons established in one Member State and incurring VAT in another Member State were cumbersome, require the completion of paper forms in the language of the Member State of Refund, and often lead to long | The electronic process will be far more efficient for the more than 800 000 enterprises applying for refunds in other Member States. It will also provide the indispensable support for a new approach that will lower the financial costs stemming from VAT legislation: the new Directive introduces tight deadlines, beyond which the Member States are | - € 447.0                  | - 43 % | Adopted<br>2008/02 |

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|  | delays in the refunds.<br><br>In the new system, applicants will be able to file their applications electronically in their own Member State, which will pass the information onto the correct Member States of refund. | required to pay an interest. Refunds should therefore be quicker and/or businesses will be financially compensated for delays. |  |  |  |
|--|---|--|--|--|--|

**Reference of the original acts:** Eighth Council Directive 79/1072/EEC of 6 December 1979 on the harmonization of the laws of the Member States relating to turnover taxes - Arrangements for the refund of value added tax to taxable persons not established in the territory of the country

**Reference of the measure adopted:** Council Directive 2008/9/EC of 12 February 2008 laying down detailed rules for the refund of value added tax, provided for in Directive 2006/112/EC, to taxable persons not established in the Member State of refund but established in another Member State \*\*

| No | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |       | Progress           |
|----|---|---|--|----------------------------|-------|--------------------|
| 3  | <b>Simplifying the rules concerning the place of supply of services</b> | The rules concerning the place of supply of services were complicated and difficult to apply, on account of piecemeal amendments over time. Their application has been simplified by detailing rules for supplies to taxable persons and to non-taxable persons, along with some exceptions for specific cases. | Thanks to simpler rules it will be easier for businesses to apply the correct VAT treatment to their cross border supplies of services. This reduces the time spent on filling out VAT returns and the associated costs. | - € 463.0                  | - 1 % | Adopted<br>2008/02 |

**Reference of the original act:** Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment

**Reference of the measure proposed:** Council Directive 2008/8/EC of 12 February 2008 amending Directive 2006/112/EC as regards the place of supply of services \*\*

| No | Measure  | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |       | Progress            |
|----|--|--|--|----------------------------|-------|---------------------|
| 4  | <b>Setting up a one stop shop and increasing thresholds of special schemes for SMEs and distance sales</b> | The one stop shop would provide the possibility for businesses to deal with all its VAT affairs, including supplies to other Member States, in the Member State in which he is established and where it may be | These measures would be of benefit to businesses carrying out cross border trade who would be able to deal with their VAT affairs in their own Member State. Businesses supplying goods to non-taxable persons in other Member States would no longer have to register | - € 4 397.4                | - 6 % | Proposed<br>2004/10 |

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|   | <p>obliged to register.</p> <p>Increasing the threshold for the special scheme for SMEs means that Member States would be able to increase the annual turnover threshold below which a business would be released from some of the VAT obligations.</p> <p>If the value of the sales to non-taxable persons in another Member State exceeds a certain amount each year, the supplier is obliged to register and account for the VAT in that Member State. That amount would be increased.</p> | <p>in that Member State. Savings are substantial and could amount to EUR 1.2 billion.</p> <p>The proposal is also an important simplification for SMEs, releasing many of them from several burdensome VAT obligations. Given the high number of SME, this part of the proposal alone has a maximum potential of EUR 2.8 billion provided that the proposed thresholds are applied by Member States.</p> <p>By increasing the distance sales threshold fewer businesses are required to be registered in other Member States. This part of the proposal could bring savings of around EUR 400 million.</p> |  |  |  |
| <p><b>Reference of the original act:</b> Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment</p> |   |  |  |  |  |
| <p><b>Reference of the measure proposed:</b> Proposal for a Council Directive amending Directive 77/388/EEC with a view to simplifying value added tax obligations, COM(2004)728 of 29 October 2004 **</p>                                      |   |  |  |  |  |

| No  | Measure  | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |         | Progress           |
|---|--|--|---|----------------------------|---------|--------------------|
| 5   | Adapting the frequency of the <b>recapitulative statements on cross-border transactions</b> and switching to an electronic procedure | Businesses that submit recapitulative statements will be required to submit these more frequently. This measure is primarily an anti-fraud measure, necessitated by the huge amount of VAT fraud on intra-community transactions. To minimize additional burdens, Member States are allowed to authorise to lower submission frequency for operators declaring insignificant amounts. Furthermore, the submission of recapitulative statements will be fully electronic. | The fact that the largest enterprises will have the right to submit the recapitulative statements electronically should significantly reduce the cost per recapitulative statement and partly compensates for the increase of the submission frequency. | + € 203.9                  | + 0.3 % | Adopted<br>2008/12 |
| <p><b>Reference of the original act:</b> Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment</p> |  |  |   |                            |         |                    |

Reference of the measure adopted: Council Directive 2008/117/EC of 16 December 2008 amending Directive 2006/112/EC on the common system of value added tax to combat tax evasion connected with intra-Community transactions

| No | Measure   | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |  | Progress            |
|----|---|--|--|----------------------------|--|---------------------|
| 6  | <b>Abolishing Annual Summarizing VAT Return</b> | The VAT Directive allows Member States to require that taxable persons submit an annual summarizing VAT return, containing the information provided in the periodical VAT returns and where necessary adjusting it. However, most of the information required on these returns is redundant or could be better obtained in other ways. Some Member States don't require them. The suppression of annual summarizing VAT returns could be part of options under review. | Businesses would no longer have to submit summarizing annual returns. They would make corrections or amendments in the periodical returns, as practiced in those Member States which do not require the annual summarizing return. |                            |  | Under consideration |

Reference of the original act: Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment

Reference of the measure under preparation/consideration: -

| No | Measure  | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |  | Progress            |
|----|--|---|--|----------------------------|--|---------------------|
| 7  | <b>Reducing the frequency of the periodical VAT return</b> | Taxable persons are required to submit a periodical VAT return (Art. 250 VAT Directive) in which they set out all the information needed to calculate the VAT chargeable and the deductions to be made. The most common frequencies used by Member States are monthly and quarterly.<br><br>Frequencies could be harmonised, revised downwards and based on turnover thresholds. The frequency could be annual for enterprises with a turnover of up to EUR | The revision of frequencies could reduce the number of VAT returns. Business would therefore spend less on consolidating VAT accounts, drawing-up of the return and the subsequent check or corrections of mistakes. |                            |  | Under consideration |

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|   |  | 500 000, quarterly for those with a turnover of up to EUR 2.5 million and monthly for those above that threshold. Businesses would however be allowed to opt for more frequent submission. |  |  |  |
| Reference of the original act: Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment |  |  |  |  |  |
| Reference of the measure under preparation/consideration: -   |  |  |  |  |  |

| No  | Measure  | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |  | Progress            |
|---|--|--|---|----------------------------|--|---------------------|
| 8   | <b>Simplifying proof required for VAT export exemption</b> | <p>Taxable persons applying the VAT export exemption are required to prove to their tax authorities that they have dispatched the goods outside the European Union. The burden of providing this proof depends on the number and type of documents required.</p> <p>The export document, drawn up for customs purposes, could normally be regarded as sufficient proof of the exportation. It could be transmitted from the customs authorities to the VAT authorities by electronic information exchange.</p> | Paperwork related to the application for a VAT export exemption would significantly be reduced. |                            |  | Under consideration |
| Reference of the original act: Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment |  |  |   |                            |  |                     |
| Reference of the measure under preparation/consideration: -   |  |  |   |                            |  |                     |

| No | Measure  | Description of the Measure   | Description of the Outcome | Change in the Level of AB* |  | Progress            |
|----|--|--|----------------------------|----------------------------|--|---------------------|
| 9  | <b>Abolishing Intra-community Acquisitions Listing</b> | The VAT Directive allows Member States to require that taxable persons submit a list of acquisitions of goods or transactions from |                            |                            |  | Under consideration |

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|  | <p>sellers established in other Member States. However, tax authorities could obtain the information provided by this listing from other sources, such as the intra-community supplies listing or the VAT Information Exchange System.</p> <p>Abolishing intra-community acquisitions listings is under consideration.</p> |  |  |  |  |
| <p>Reference of the original act: Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment</p> |  |  |  |  |  |
| <p>Reference of the measure under preparation/consideration: -</p>   |  |  |  |  |  |

| No   | Measure  | Description of the Measure  | Description of the Outcome | Change in the Level of AB* |  | Progress            |
|--|--|---|----------------------------|----------------------------|--|---------------------|
| 10   | <b>Abolishing “nil” Intra-Community Sales Listings</b> | <p>The VAT Directive requires that taxable persons file lists of all supplies made to taxable persons in other Member States. Member States may require the submission of this listing even for periods where no intra-community supplies took place. Businesses perceive this as irritating.</p> <p>Businesses could be exempted from filing intra-community supplies listings for periods where they did not make intra-community supplies. Tax authorities could deduce the fact that there were no supplies from the periodical VAT return.</p> |                            |                            |  | Under consideration |
| <p>Reference of the original act: Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment</p> |  |   |                            |                            |  |                     |
| <p>Reference of the measure under preparation/consideration: -</p>   |  |   |                            |                            |  |                     |

| No  | Measure  | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |  | Progress            |
|---|--|--|--|----------------------------|--|---------------------|
| 11  | Introducing a <b>real-time VAT collection system</b> | <p>The current system of VAT collection is invoice- (not settlement-) based and requires businesses to use significant resources to comply with their VAT obligations.</p> <p>VAT payment and refund would be changed to the point at which payment is settled in real time through the banking system. This would automate most of the activities that businesses currently have to perform to comply with VAT legislation.</p> | All taxable persons would be affected by this measure, notably with regard to the submission of the VAT returns and listings and the bookkeeping and consolidation activities required calculating the VAT amount due. |                            |  | Under consideration |
| Reference of the original act: Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment |  |  |  |                            |  |                     |
| Reference of the measure under preparation/consideration: -   |  |  |  |                            |  |                     |

| No  | Measure   | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |  | Progress            |
|---|---|--|--|----------------------------|--|---------------------|
| 12  | Facilitating the use of the power of attorney for the <b>submission of VAT returns and listings</b> | <p>The use of power of attorney for the submission of VAT returns and listings is currently restricted, limiting the way businesses use external tax consultants.</p> <p>In so far as these limitations stem from national measures implementing EC, the Commission could consider a soft-law approach to disseminate best practices in this area and see more Member States opting for a lighter implementation approach.</p> | SME, which are most likely to make extensive use of external VAT consultants, would benefit most from this measure. They could grant limited powers of attorney. They could also appoint several persons separately as authorized to sign the VAT-returns and sales listing reports. |                            |  | Under consideration |
| Reference of the original act: Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment |   |  |  |                            |  |                     |
| Reference of the measure under preparation/consideration: -   |   |  |  |                            |  |                     |



| No  | Measure   | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |  | Progress            |
|---|---|---|---|----------------------------|--|---------------------|
| 13  | <b>Increasing the use of e-government solutions</b> | <p>The VAT Directive allows and partly foresees that the various VAT returns and listings are submitted in electronic form to tax authorities. The uptake of this possibility however varies between Member States and is low in some.</p> <p>By identifying best practices in certain Member States and facilitating their application in others, the use of e-government solutions will be increased.</p> | More businesses would benefit from the cost savings realized when switching from a paper to an electronic interaction with tax authorities. |                            |  | Under consideration |
| Reference of the original act: Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment |   |   |   |                            |  |                     |
| Reference of the measure under preparation/consideration: -   |   |   |   |                            |  |                     |

| No  | Measure  | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |  | Progress            |
|---|--|---|--|----------------------------|--|---------------------|
| 14  | <b>Integrating VAT registration into general business registration</b> | <p>Taxable persons are obliged to communicate to the tax authorities the start of their activity as taxable persons. Some Member States have integrated this VAT registration into the general business registration.</p> <p>The Commission could facilitate the use of this practice in further Member States by disseminating the insights gained so far.</p> | Enterprises would no longer have to communicate the same information to different authorities, which creates unnecessary costs and irritation. This integration would notably make it easier to set up a new business. |                            |  | Under consideration |
| Reference of the original act: Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment |  |   |  |                            |  |                     |
| Reference of the measure under preparation/consideration: -   |  |   |  |                            |  |                     |

| No   | Measure  | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |  | Progress            |
|--|--|--|--|----------------------------|--|---------------------|
| 15   | <b>Harmonize measures to combat VAT fraud along best practices</b> | <p>The VAT Directive allows Member States to impose on taxable persons obligations deemed necessary to ensure the correct collection of VAT and to prevent tax evasion.</p> <p>The harmonisation of these obligations could be envisaged as they are at the origin of major differences for businesses engaged in intra-community trade.</p> | All business would profit from more efficient less burdensome anti-fraud obligations. Businesses performing intra-community trade would also benefit from facing the same obligations in all Member States in which they are active. |                            |  | Under consideration |
| <p>Reference of the original act: Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment</p> |  |  |  |                            |  |                     |
| <p>Reference of the measure under preparation/consideration: -</p>   |  |  |  |                            |  |                     |

| No | Measure                                    | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |  | Progress          |
|----|--|---|---|----------------------------|--|-------------------|
| 16 | <b>Simplifying the use of VAT Grouping</b> | <p>Member States can regard several taxable persons which are legally independent as a single taxable person if they are closely bound to one another by financial, economic and organisational links.</p> <p>The Commission could further disseminate best practices on requirements put on such VAT groups.</p> <p>On July 2009 the Commission indicated how the provisions on the “VAT Group” could be translated into practical arrangements and called for reactions (COM(2009)325). The Commission will reflect on whether and when further action will be appropriate. Such action could consist in proposing concrete</p> | Businesses already applying this legal instrument would see inherent administrative costs reduced. More businesses would choose this instrument and profit from its advantages. |                            |  | Under preparation |

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|   | amendments to Article 11 but also in contributing to a more uniform and fiscally neutral application of the current rules by other means. |  |  |  |
| Reference of the original act: Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment |   |  |  |  |
| Reference of the measure under preparation/consideration: Communication on the VAT group option provided for in Article 11 of Council Directive 2006/112/EC on the common system of value added tax, COM(2009)325.                |   |  |  |  |

## 11.2. Customs

*\* Change in the level of AB of EU origin: absolute figures are given in million euros; percentages relate to the AB of the original act.*

| No | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |        | Progress           |
|----|---|---|--|----------------------------|--------|--------------------|
| 17 | Modernizing customs procedure and especially switch to a <b>fully electronic customs procedure</b> (legislative proposal) | <p>Paper-based customs procedures can be slow and cumbersome, and therefore expensive for traders.</p> <p>The Modernized Customs Code will introduce a fully electronic customs environment in which the electronic lodging of customs declarations and accompanying documents is the rule. Furthermore, the customs procedures will be streamlined and simplified with regard to aspects such as place of clearance (centralised clearance, one stop shop) and the rules on customs representatives. The re-use of customs-related information for other purposes will also be promoted (Single Window concept).</p> <p>The legal basis for this modernization has been adopted in 2008. The Commission is preparing draft executive measures that will put the new system in place.</p> | <p>The cost of lodging customs declarations will be significantly reduced. As this applies to more than 170 million customs declarations annually, the aggregate savings realized by traders are immense. Furthermore, traders benefit from being able to lodge their customs declarations and pay their customs duties at the customs office of the place where they are established and hold their records there. Traders will be able to provide compulsory information for import and export through a single entry point, even if the information is destined to different administrations/agencies. Consequently, the controls on goods for various purposes (customs, sanitary, ...) can be performed at the same time and at the same place ('one-stop-shop' concept) making them less burdensome for businesses. The use of customs representatives will be facilitated and increased reliance on self-assessment of traders reduces their paperwork.</p> | - € 2 427.0                | - 39 % | Adopted<br>2008/04 |

Reference of the original act: Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code

Reference of the measure adopted: Regulation (EC) No 450/2008 of the European Parliament and of the Council of 23 April 2008 laying down the Community Customs Code (Modernised Customs Code); Decision No 70/2008/EC of the European Parliament and of the Council of 15 January 2008 on a paperless environment for customs and trade; The revision of the Implementing Provisions to the Customs Code is pending. Costs linked to amending Regulation 648/2005 are taken into account in the baseline.

| No | Measure   | Description of the Measure   | Description of the Outcome | Change in the Level of AB* |  | Progress          |
|----|---|--|----------------------------|----------------------------|--|-------------------|
| 18 | Modernizing customs procedure by and especially switch to a <b>fully electronic customs procedure</b> (implementing provisions) | The legal basis for this modernization has been adopted in 2008. The Commission is preparing draft executive measures that will put the new system in place. | See item 17                |                            |  | Under preparation |

Reference of the original act: Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code

Reference of the measure under preparation: -

| No | Measure                                      | Description of the Measure   | Description of the Outcome  | Change in the Level of AB*   |  | Progress                                |
|----|--|--|---|------------------------------|--|---|
| 19 | <b>Simplifying Regular Shipping Services</b> | Goods shipped between two ports in the customs territory of the Community by a "regular shipping service" are considered to be Community goods. However, a "regular shipping service" must be authorised by the customs authorities and is limited to the vessels mentioned in the authorisation. The measure would simplify the authorisation procedure for such services and make simpler and more flexible the assignment of vessels to that service, notably by use of a new European data-base. | The more efficient and flexible registration procedure will result in a decrease in administrative costs for shipping companies, as well as a potential reduction on internal costs due to the decrease of delays on vessels and an increase in the utilisation rates of vessels. Further down the consumption chain, businesses and citizens will benefit from the cost reductions in freight transport and the task of customs administrations will also be simplified. | quantification not completed |  | Under preparation<br><br>Target 2009/Q4 |

Reference of the original acts: Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code

Reference of the measure under preparation/consideration: -

## 12. SECTORAL REDUCTION PLAN FOR TRANSPORT

Reducing administrative burdens for enterprises is a core element in the modernisation of the Common Transport Policy. In the field of *road transport*, special attention in reduction efforts is devoted to having only strictly needed information in the most convenient form for users. The intention in this sector is to control less reliable undertakings and make controls more efficient in order to reduce the time devoted to them. In other modes of transport, techniques such as mutual recognition and cross-acceptance, one stop shops for Community-wide certification, and modernisation of information collection and application procedures are used to further reduce administrative burdens.

In the field of *maritime transport*, the use of mutual recognition could significantly reduce administrative burdens for manufacturers and ship owners. Until now, each national certifying body could force equipment manufacturers to undergo the same testing and certification procedure even if the item had been certified by a recognised organisation in another Member State against the same standards. This placed a significant economic and logistical burden on manufacturers while having no added safety value. The introduction of mutual recognition of class certificates by Art. 10(1) of Regulation 391/2009 will improve market access and free significant resources that can be spent on Research and Development to the benefit of safety. The maritime industry has estimated that this provision could lead to savings of EUR 500 million to EUR 1 billion<sup>24</sup>.

The most burdensome and/or irritant information obligations in this priority area mainly concern certification and shipment requirements. Their aim is to ensure road and rail safety as well as to monitor the evolution of the volume of intra-EU trade. The data collected are used by national authorities and businesses for policy making, enforcement and market analysis.

It is worth noting that the reduction of administrative burden did not start with this legislature. One reduction measure marked by "\*\*\*" in this Sectoral Plan has its origin in a legislative proposal tabled by the previous Commission. This Commission however decided to maintain this proposal and defended it in the legislative deliberation. The reduction potential of this measure amounts to EUR 286.6 million.

*\* Change in the level of AB of EU origin: absolute figures are given in million euros; percentages relate to the AB of the original act*

| No | Measure   | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |        | Progress           |
|----|---|--|--|----------------------------|--------|--------------------|
| 1  | Reducing time spent to register and transmit information on road transport by the introduction of digital tachographs | Analogue tachographs are known to impose many manual operations. They are relatively easy to tamper with, which creates a need for reinforcement control and inspection. | The use of digital tachographs reduces the recording time for truck drivers, leading to a reduction of administrative burdens of EUR 37 on average per driver and per year. Considering that 74 % of drivers are still using the analogue tachographs, the measure | - € 286.6                  | - 10 % | Adopted<br>2006/06 |

<sup>24</sup>

This reduction is not integrated in the figures provided below for the following reasons: The EU baseline measurement only captures costs stemming from EU obligations. Administrative costs imposed by duplicating national requirements are the result of national obligations. The application of the principle of mutual recognition decided at EU level will therefore have no impact on the level of administrative costs of EU origin, but will result in a drop of administrative costs of national origin (the national baseline measurements conducted by the Member States should soon indicate a reduction of administrative costs resulting from the reduction in the number of certification procedures). In other words the benefit of this EU decision will manifest itself in the evolution of administrative costs imposed by national rules.

|   |   |   |  |  |  |
|---|---|---|--|--|--|
|   | Under Regulation 561/2006, it is mandatory to install digital tachographs in new vehicles, thus progressively phasing out analogue tachographs. | will eventually bring savings up to EUR 286 million per year. |  |  |  |
| <p><b>Reference of the original act:</b> Council Regulation (EEC) No 3820/85 of 20 December 1985 on the harmonization of certain social legislation relating to road transport, as amended by Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers</p> |   |   |  |  |  |
| <p><b>Reference of the measure adopted:</b> Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport **</p>   |   |   |  |  |  |

| No   | Measure   | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |       | Progress            |
|--|---|---|---|----------------------------|-------|---------------------|
| 2  | Simplifying the use of <b>digital tachographs</b> and improving the <b>"form of activities"</b> | The draft measure contains 12 concrete ways to simplify the use of digital tachographs. For example, manual inputs concerning time not spent driving (in order to have all the records in the device and avoid using the "form of activities") and the recording of periods inferior to one minute will become easier and faster. Furthermore, there will be a possibility for undertakings to lock information for easier handling of records. Finally, the "form of activities", where it is still used, will cover all the possible cases thus avoiding the necessity to provide additional documents. | It is expected that this simplification will lead to savings of up to EUR 41 per year per driver. Around 6 million drivers should eventually benefit from this measure. | - € 234.5                  | - 8 % | Proposed<br>2009/07 |
| <p><b>Reference of the original act:</b> Council Regulation 3821/85 of 20 December 1985 on recording equipment in road transport (Annex 1B)</p>  |   |   |   |                            |       |                     |
| <p><b>Reference of the measures proposed:</b> Draft Commission Regulation adapting for the tenth time to technical progress Council Regulation (EEC) No. 3821/85 on recording equipment in road transport (comitology); Draft Commission Decision on the attestation of activities</p> |   |   |   |                            |       |                     |

| No | Measure  | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |  | Progress |
|----|--|---|---|----------------------------|--|----------|
| 3  | Exempting <b>small craft businesses</b> from <b>tachograph</b> | Until now, Member States may grant exemptions from the use of tachograph only | Small and medium-sized enterprises, especially trading and craft companies, would benefit while the |                            |  | Under    |

|  |                                       |  |  |  |  |             |
|--|---------------------------------------|--|--|--|--|-------------|
|  | <b>requirement for short journeys</b> | for small vehicles, if driving the vehicle does not constitute the driver's main activity and if it is used within a 50 km radius from the base of the undertaking. The restriction of this exemption possibility to a radius of 50 km is not appropriate as many of those companies in focus of this provision work in a larger range around their company base. Further exemptions from the need to use the tachograph for relatively short journeys are envisaged in the context of a revision of Regulation 3821/1985 on the tachograph. | objectives of road safety and fair competition would not be touched. |  |  | preparation |
| Reference of the original act: Council Regulation 3821/85 of 20 December 1985 on recording equipment in road transport |                                       |  |  |  |  |             |
| Reference of the measure under preparation/under consideration: -  |                                       |  |  |  |  |             |

| No  | Measure  | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |  | Progress            |
|---|--|---|--|----------------------------|--|---------------------|
| 4   | <b>Facilitating remote downloading of data from the tachograph and driver card</b> | The devices for the digital tachograph currently allowed are technically outdated. Tachograph downloading time could be decreased if the use of wireless data extraction and sending to the back office become more widespread. The European Commission can promote this technology and facilitate its adaption by enterprises. | Businesses involved in international transport generally invest in new technologies due to scale benefits. They would be the main beneficiaries of this measure. |                            |  | Under consideration |
| Reference of the original act: Council Regulation (EEC) No 3820/85 of 20 December 1985 on the harmonization of certain social legislation relating to road transport, as amended by Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers |  |   |  |                            |  |                     |
| Reference of the measure under preparation/under consideration: -   |  |   |  |                            |  |                     |

| No | Measure  | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |  | Progress            |
|----|--|---|---|----------------------------|--|---------------------|
| 5  | <b>Decreasing the minimum period for keeping the driver card</b> | Under the current legislation, the driver must be able to produce the records sheet as well | The measure would significantly benefit businesses with drivers using a digital tachograph. |                            |  | Under consideration |

|  |   |   |  |  |  |  |
|--|---|---|--|--|--|--|
|  | <b>information in the vehicle</b> from 28 to 7 days | <p>as any manual record and printout made in the previous 28 days.</p> <p>Decreasing the period for record-keeping to 7 days would reduce the time spent by the driver and the administrative personnel of the enterprise on ensuring that the records are correctly kept in the truck.</p> |  |  |  |  |
|--|---|---|--|--|--|--|

Reference of the original act: Council Regulation (EEC) No 3820/85 of 20 December 1985 on the harmonization of certain social legislation relating to road transport, as amended by Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers

Reference of the measure under preparation/under consideration: -

| No | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |  | Progress            |
|----|---|---|--|----------------------------|--|---------------------|
| 6  | Integrating the current digital tachographs into <b>onboard computers</b> | While a digital tachograph only has limited functionalities, a single onboard computer integrates additional technical devices such as devices for the operation of toll-systems or route-planning. In this way, there is no need for separate administration of working hours. | All drivers involved in download activities should benefit from a "single onboard unit". |                            |  | Under consideration |

Reference of the original act: Council Regulation (EEC) No 3820/85 of 20 December 1985 on the harmonization of certain social legislation relating to road transport, as amended by Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers

Reference of the measure under preparation/under consideration: -

| No | Measure   | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |  | Progress            |
|----|---|---|---|----------------------------|--|---------------------|
| 7  | Make broader national use of all <b>exception categories</b> defined in the EU <b>tachograph regulation</b> | Member States can exclude categories of vehicles from using tachographs. With the entry into force of Regulation 561/2006, a number of exception categories of vehicles and businesses were restricted or deleted. A change in the EU legislation could exclude | Companies which cannot be exempted from using the tachograph under Regulation 561/2006 would directly benefit from this measure. This is the case, for example, for companies producing goods to be sold and distributed mainly in the region where they were produced. |                            |  | Under consideration |



|   |  |   |  |  |  |
|---|--|---|--|--|--|
|   |  | these categories as a target group as of right, without resorting to Member States. |  |  |  |
| Reference of the original act: Council Regulation (EEC) No 3820/85 of 20 December 1985 on the harmonization of certain social legislation relating to road transport, as amended by Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers |  |   |  |  |  |
| Reference of the measure under preparation/under consideration: -   |  |   |  |  |  |

| No  | Measure  | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |        | Progress           |
|---|--|---|---|----------------------------|--------|--------------------|
| 8   | Facilitating <b>cross-acceptance of rail-rolling stock</b> | <p>Railways undertakings and manufacturers have reported that a lot of time and resources are spent to obtain authorisations for placing in service their rail rolling stock.</p> <p>To address this concern, the procedures for obtaining these authorisations have been harmonized and clear deadlines have been established for their delivery. In addition the principle of mutual recognition has been reinforced.</p> | Each year, around 100 submissions of a rolling stock technical file take place across the EU. The new cross-acceptance procedure mainly benefits railway undertakings seeking authorisations to use their rolling stock on networks of additional Member States. It will also benefit manufacturers who will be able to sell their rolling stock with a lower certification cost and within a shorter time to business. | - € 0.4                    | - 14 % | Adopted<br>2008/06 |
| Reference of the original act: Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways (Railway Safety Directive)           |  |   |   |                            |        |                    |
| Reference of the measure adopted: Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community (Recast) |  |   |   |                            |        |                    |

| No | Measure   | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |  | Progress            |
|----|---|---|---|----------------------------|--|---------------------|
| 9  | Defining the requirements and formats for the <b>submission of a safety report</b> more clearly | The format for the submission of the annual safety report by the railway undertaking to the national safety authority is not specified in the directive. As a result Member States have specified different formats. Guidelines to be produced by the European Railway Agency may reduce the familiarisation time and avoid over-compliance by putting more | Railway undertakings that are active in different Member States would benefit from a standardised report and some guidance at operational level. It would reduce costs by helping railway undertakings know which data to collect and how to adjust this data for the report. |                            |  | Under consideration |

|   |                                     |  |  |  |
|---|-------------------------------------|--|--|--|
|   | effort than needed into the report. |  |  |  |
| Reference of the original act: Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways (Railway Safety Directive) |                                     |  |  |  |
| Reference of the measure under preparation/under consideration: -   |                                     |  |  |  |

| No  | Measure  | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |        | Progress            |
|---|--|---|--|----------------------------|--------|---------------------|
| 10  | <b>Simplifying obligations for road haulage and road passenger transport</b> | The new Regulation aims at reducing paperwork for road transport businesses through several measures such as the introduction of an electronic register to facilitate the exchange of data and allow targeted checks. It also foresees a simplified authorising procedure for coach services. | Checks on businesses with a good track-record will take less time and unnecessary paperwork is abolished. Both should benefit road operators. Around 200 000 enterprises involved in freight transport by road will save time and money thanks to the electronic register. | - € 34.9                   | - 56 % | Proposed<br>2007/05 |
| Reference of the original act: Council Directive 96/26/EC of 29 April 1996 on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national and international transport operations   |  |   |  |                            |        |                     |
| Reference of the measure proposed: Proposal for a Regulation of the European Parliament and Council establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator, COM (2007) 263; Proposal for a Regulation on access to the market in the carriage of goods by road within the Community to or from the territory of a Member State or passing across the territory of one or more Member States, COM (2007) 265. Political agreement has been reached. |  |   |  |                            |        |                     |

| No | Measure  | Description of the Measure  | Description of the Outcome  | Change in the Level of AB* |       | Progress           |
|----|--|---|---|----------------------------|-------|--------------------|
| 11 | <b>Simplifying EU legislation on the inland transport of dangerous goods</b> | EU legislation on the transport of dangerous goods is simplified and harmonised by bringing all three land modes under one piece of legislation.<br><br>Obsolete and outdated provisions are eliminated and the directives on dangerous goods safety advisers are repealed. All national derogations are brought into a single text to increase the transparency of the derogation system. The applicable legal texts is shortened by around 2 000 pages. | Thanks to a more user friendly and transparent text, it will be easier and quicker for industry to familiarize itself with the information obligation. Businesses will be able to save on expenditure linked to training and external legal advice. | - € 2.2                    | - 4 % | Adopted<br>2008/09 |

**Reference of the original act:** Council Directive 96/35/EC of 3 June 1996 on the appointment and vocational qualification of safety advisers for the transport of dangerous goods by road, rail and inland waterway; Directive 2000/18/EC of the European Parliament and of the Council of 17 April 2000 on minimum examination requirements for safety advisers for the transport of dangerous goods by road, rail or inland waterway

**Reference of the measure adopted:** Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods

| No | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |        | Progress           |
|----|---|---|--|----------------------------|--------|--------------------|
| 12 | Abolishing the <b>notification of transport tariffs</b> and alleviating the obligation to keep documentary evidence onboard | Regulation No 11 imposed on transport undertakings the duty to communicate to their government their tariffs and other conditions, and to keep documentary evidence onboard.<br><br>Under Regulation (EU) 569/2008, the notification obligation is removed, and the information to keep onboard has been included in other documents. | These two modifications largely reduce the administrative burden in the sector. More than 300 000 transport operators benefit from the modification to the obligation to keep documents onboard. | - € 114.7                  | - 61 % | Adopted<br>2008/06 |

**Reference of the original act:** Regulation No 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79(3) of the Treaty establishing the European Economic Community

**Reference of the measure adopted:** Council Regulation (EC) No 569/2008 of 12 June 2008 amending Regulation No 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79(3) of the Treaty establishing the European Economic Community

| No | Measure   | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |        | Progress            |
|----|---|--|--|----------------------------|--------|---------------------|
| 13 | Reducing formalities in <b>Short Sea Shipping</b> | The Commission proposes to rationalise the transmission of administrative documents and to eliminate duplication between requirements imposed by Community directives and the obligation to send the Facilitation of International Maritime Traffic (FAL) forms. Moreover, it foresees the possibility of sending the information electronically to a single competent authority | Considering that on average 1.7 million vessels call to the main EU ports every year, shippers, shipmasters, ship agents and ship operators should significantly benefit from these changes. | - € 75.0                   | - 13 % | Proposed<br>2009/01 |

|  |                                 |  |  |  |  |
|--|---------------------------------|--|--|--|--|
|  | nominated by the Member States. |  |  |  |  |
| <p><a href="#">Reference of the original act:</a> Directive 2002/6/EC of the European Parliament and of the Council of 18 February 2002 on reporting formalities for ships arriving in and/or departing from ports of the Member States of the Community</p> |                                 |  |  |  |  |
| <p><a href="#">Reference of the measure proposed:</a> Proposal of 21 January 2009 for a directive of the European Parliament and of the Council on reporting formalities for ships arriving in and departing from Member State ports, COM(2009)11</p>        |                                 |  |  |  |  |

### 13. SECTORAL REDUCTION PLAN FOR WORKING ENVIRONMENT / EMPLOYMENT RELATIONS

Article 137 of the EC Treaty foresees the adoption of directives setting minimum requirements for the improvement of the working environment, inter alia, in order to protect workers' health and safety while avoiding to impose "administrative, financial and legal constraints in a way which would hold back the creation and development of small and medium-sized undertakings". From the outset, the preparation of EU legislation has therefore taken into account the need to avoid administrative burdens.

As for all the other priority areas, the objective of the Action Programme is to cut unnecessary burdens on businesses, i.e. what can be suppressed without compromising the achievements already attained in terms of levels of protection and of reduction of occupational accidents and illnesses. The "Charter of Fundamental Rights of the European Union", solemnly proclaimed on 7 December 2000 by the European Parliament, the Council and the Commission, further recognizes indeed that the right to working conditions which respect workers' health, safety and dignity and the right to information and consultation within the undertaking are fundamental rights of every worker in the EU.

*\* Change in the level of AB of EU origin: absolute figures are given in million euros; percentages relate to the AB of the original act.*

| No  | Measure  | Description of the Measure   | Description of the Outcome  | Change in the Level of AB* |       | Progress                |
|---|--|--|---|----------------------------|-------|-------------------------|
| 1   | Improving the <b>guidance for businesses on Health and Safety of workers</b> | <p>Guidance, tools and check-lists on risk assessment have as aim to make it easier for companies to draw up proper risk assessment through simple tools and checklists.</p> <p>Common principles for inspection in relation to health and safety in the workplace set out basic principles to be taken into account by the labour inspections in all Member States and thereby encourage a common approach to the implementation of legal requirements in the workplace and the adoption of comparable criteria by inspectorates in their enforcement practices</p> | <p>Guidance on risk assessment: by making it easier for companies to draw up proper risk assessment it is expected that more companies, especially smaller ones, carry out appropriate risk assessment, in a simple and less time-consuming way. The guidance helps the employer to easily identify to what risks his workers are exposed and what measures he will need to take. Also, this way, many companies do not need to involve expensive external consultants for this work.</p> <p>Common principles for inspection in relation to health and safety in the workplace: by applying these common principles, labour inspections are likely to improve their efficiency through for example better planning which could in turn reduce the burdens of the visits for companies.</p> | - € 92.5                   | - 3 % | Adopted<br>2006<br>2007 |
| Reference of the original act: Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work   |  |  |   |                            |       |                         |
| Reference of the measure adopted: The European Agency for Safety and Health at Work, "Guidance on Risk Assessment - tool & check list" (2006, 2007); "SLIC Common Principles for Labour Inspection in relation to Health and Safety in the Workplace" (revised 2006). |  |  |   |                            |       |                         |

| No  | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |  | Progress                     |
|---|---|---|--|----------------------------|--|------------------------------|
| 2   | Easing the drafting of Risk Assessments on <b>Health and Safety</b> in businesses | Guidance, tools and check-lists on risk assessment have as aim to make it easier for businesses to draw up proper risk assessment through simple tools and checklists.<br><br>The European Agency for Safety and Health at Work (OSHA) is preparing an interactive on-line risk assessment ("ORA") tool | This on-line tool (ORA) will facilitate the risk assessments made by SME |                            |  | Under preparation<br>2010/12 |
| Reference of the original act: Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work |   |   |  |                            |  |                              |
| Reference of the measure under preparation/consideration: -   |   |   |  |                            |  |                              |

| No  | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |       | Progress            |
|---|---|---|--|----------------------------|-------|---------------------|
| 3   | <b>Exempting very small firms from having to produce a written assessment of the risks to health and safety</b> | Member States could be given the possibility to exempt very small firms undertaking certain low risk activities from having to produce a written risk assessment. Such a perspective needs in first hand to be discussed in the tripartite Advisory Committee on Safety and Health at Work. | The suggestion has a substantial burden reduction potential for small enterprises, as the total administrative burden stemming from the obligation to provide a risk assessment is estimated to EUR 2.7 billion. | - € 135.0                  | - 4 % | Under consideration |
| Reference of the original act: Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work |   |   |  |                            |       |                     |
| Reference of the measure under preparation/consideration: -   |   |   |  |                            |       |                     |

| No | Measure  | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |       | Progress            |
|----|--|---|--|----------------------------|-------|---------------------|
| 4  | Facilitate <b>lighter transpositions</b> by Member States of the <b>Health and Safety of Workers Framework Directive</b> | Implementation options, and in particular the derogation possibilities and the limits for exemptions laid down in the framework directive are sometimes very difficult to | Better guidance for Member States could facilitate their transposition and enforcement of the obligations laid down in the framework directive, and would thereby facilitate burden reductions for businesses in | - € 230.0                  | - 7 % | Under consideration |

|   |  |                    |  |  |  |
|---|--|--------------------|--|--|--|
|   | establish for Member States. Better guidance by explaining the relevant provisions that allow for flexibility in the implementation, e.g. by taking into account the size of the companies, the sector of activities and the nature of the risks, could increase, where appropriate, the use of these options. | each Member State. |  |  |  |
| Reference of the original act: Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work |  |                    |  |  |  |
| Reference of the measure under preparation/consideration: -   |  |                    |  |  |  |

| No  | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |       | Progress            |
|---|---|---|--|----------------------------|-------|---------------------|
| 5   | <b>Making labour inspection visits more efficient</b> | While inspections are essential to achieve safety and health at work, they should be made less time-consuming for businesses and compliant employers (e.g. in low risks enterprises) should be rewarded by fewer inspection visits. A risk-based approach should be applied. This is mainly a concern for Member States. The Commission is considering the development of a common approach and further facilitate exchange of Good Practices through the activities of the Senior Labour Inspectors' Committee (SLIC). | By applying a common risk-based approach for inspections in all Member States the administrative burdens for businesses could be further reduced | - € 62.0                   | - 2 % | Under consideration |
| Reference of the original act: Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work |   |   |  |                            |       |                     |
| Reference of the measure under preparation/consideration: -   |   |   |  |                            |       |                     |

| No | Measure   | Description of the Measure   | Description of the Outcome   | Change in the Level of AB* |       | Progress          |
|----|---|--|--|----------------------------|-------|-------------------|
| 6  | <b>Improving the guidance for construction site enterprises</b> | A Guidance document on safety and health requirements at temporary or mobile construction sites is in preparation by the | The document will contain examples and best practices to be used by companies in the field to correctly apply the rules in a more efficient way. If companies know | - € 140.0                  | - 21% | Under preparation |

|  |   |   |  |  |                        |
|--|---|---|--|--|------------------------|
|  | Commission in cooperation with the tripartite “Advisory Committee on Safety and Health at Work”. It aims at helping stakeholders to better understand and apply in practice the regulations concerning temporary and mobile construction sites. | themselves how to easily deal with the issues, notably to identify to what risks the workers are exposed, how to establish the different health and safety documents required, etc., external consulting will for example be less needed. |  |  | 2010/2 <sup>nd</sup> Q |
| Reference of the original act: Directive 92/57/EEC of 24 June 1992 on the implementation of minimum safety and health requirements at temporary or mobile construction sites |   |   |  |  |                        |
| Reference of the measure under preparation/consideration: -  |   |   |  |  |                        |

| No   | Measure   | Description of the Measure  | Description of the Outcome   | Change in the Level of AB* |       | Progress           |
|--|---|---|--|----------------------------|-------|--------------------|
| 7  | Improve the efficiency of regulations concerning the <b>European Works Councils</b> | Problems with the practical application of the 1994 Directive have been solved by introducing a new directive which aims at: (1) further specifying the concepts of information and consultation; (2) defining the competences of European Works Councils and linking the national and European levels of information and consultation; (3) adapting the subsidiary requirements applying when the central management of the company and the negotiating body cannot reach agreement; (4) providing training for employee representatives and introducing a duty for them to report back to the workers; (5) indicating how to adapt European Works Councils (EWC)s in the event of significant change in the structure of the company. | The modifications introduced by Directive 2009/38 combined with exchange of Good Practice and a Guideline documents (issued Oct 2009) are expected to bring greater legal clarity as to the functioning of EWCs, which operate in more than 800 large transnational companies, thereby reducing litigation costs. They will also encourage the European level of social dialogue in such companies to take a larger and upgraded role.<br><br>The administrative burden for businesses related to familiarizing with the legislation is reduced. | - € 0.02                   | - 6 % | Adopted<br>2009/05 |
| Reference of the original act: Directive 94/45/EC on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees  |   |   |  |                            |       |                    |
| Reference of the measure adopted: Directive 2009/38/EC of the European Parliament and of the Council of 6 May 2009 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees |   |   |  |                            |       |                    |



| No   | Measure  | Description of the Measure  | Description of the Outcome | Change in the Level of AB* |  | Progress                  |
|--|--|---|----------------------------|----------------------------|--|---------------------------|
| 8  | Improving ways to handle key information on <b>carcinogens</b> | The Directive on carcinogens foresees the obligation to carry a risk assessment for a number of substances and define information that should be made available to competent authorities. The review of that Directive and the number of substances it covers is under way. It will in particular see if risk assessment and notifications can be improved, in order to maintain safety standards and suppressing unnecessary burden, if any. |                            |                            |  | Under preparation<br>2011 |
| Reference of the original act: Directive 2004/37/EC on the protection on workers from the risks related to exposure to carcinogens or mutagens at work |  |   |                            |                            |  |                           |
| Reference of the measure under preparation/consideration: -  |  |   |                            |                            |  |                           |

## ANNEX D:

### LIST OF REDUCTION MEASURES (TO BE) PRESENTED BY THE COMMISSION IN 2009

The table below lists legislative proposals presented by the Commission for adoption by the co-legislators and draft executive measures submitted for opinion of the relevant committees (comitology)<sup>25</sup>. Detailed description of the following measures is provided in Annex C – Sectoral Reduction Plans, under the corresponding Priority Area (PA), except for the Prospectus Directive, the new Textiles Regulation and the Explosives Directive (acts out of the scope of the Action Programme). The latter are described at the end of this Annex.

|                                   | Legal act concerned  | Change pursued  | Status   |
|-----------------------------------|--|---|--|
| <b>Measures already presented</b> |  |   |  |
| 1                                 | <b>Maritime transport<br/>(PA Transport)</b><br><br>Directive 2002/6                           | Reduce formalities in Short Sea Shipping.   | Legislative proposal presented on 21 January<br><br>COM(2009)11    |
| 2                                 | <b>E-invoicing<br/>(PA Taxation)</b><br><br>Directive 2006/112                                 | Suppress additional requirements on invoices and enable wider use of electronic invoicing.  | Legislative proposal presented on 28 January<br><br>COM(2009)21    |
| 3                                 | <b>Textile names and labelling<br/>(Out of scope)</b><br><br>Directives 96/74, 96/73 and 73/44 | Simplify applications for a new fibre name.   | Legislative proposal presented on 30 January<br><br>COM(2009)31    |
| 4                                 | <b>Micro-entities<br/>(PA Annual accounts)</b><br><br>Directive 78/660                         | Allow Member States to exempt micro-enterprises from accounting directives.   | Legislative proposal presented on 26 February<br><br>COM(2009)83   |
| 5                                 | <b>Biocides<br/>(PA Environment)</b><br><br>Directive 98/8                                     | Simplify authorisation procedures for the placing of biocidal products on the market.   | Legislative proposal presented on 12 June<br><br>COM(2009)267      |
| 6                                 | <b>Road transport<br/>(PA Transport)</b><br><br>Regulation 3821/85 (Annex 1B)                  | Simplify the use of digital tachographs and improve the "form of activities".   | Draft executive measure presented on 20 July                       |
| 7                                 | <b>Prospectus<br/>(Out of scope)</b><br><br>Directive 2003/71                                  | Suppress the obligation for issuers with listed securities to provide annually a document containing or referring to all information published in the 12 months preceding the issuance of the prospectus. Reduce the disclosure requirements of small quoted companies and for rights offers. | Legislative proposal presented on 23 September<br><br>COM(2009)491 |

<sup>25</sup>

[http://europa.eu/legislation\\_summaries/glossary/comitology\\_en.htm](http://europa.eu/legislation_summaries/glossary/comitology_en.htm)

|  | Legal act concerned   | Change pursued   | Status                       |
|--|---|--|------------------------------|
| <b>Measures planned for presentation before 31 December 2009</b> |   |  |                              |
| 8  | <b>Food Security (PA Food safety)</b><br>Directives 89/662 and 90/425 | Reduce the number of veterinary checks on intra-community maritime trade. No need for legislative change.  | Guidance document (soft law) |
| 9  | <b>Statistics/tourism (PA Statistics)</b><br>Directive 95/57          | Reduce reporting requirements for statistics on tourism.   | Legislative proposal         |
| 10   | <b>Statistics/fruit trees (PA Statistics)</b><br>Directive 2001/109   | Update the statistics on fruit trees in line with today's needs.   | Legislative proposal         |
| 11   | <b>Statistics/carriage by sea (PA Statistics)</b><br>Directive 95/64  | Introduce improvements and simplifications to the legislation relating to statistics on sea transport.     | Legislative proposal         |
| 12   | <b>Customs Code (PA Taxation)</b><br>Regulations 2913/92 and 2454/93  | Simplify the authorisation procedure for regular shipping services.  | Draft executive measure      |
| 13   | <b>Transfer of explosives (Out of scope)</b><br>Directive 93/15       | Introduce a one-stop shop delivering all necessary permits for the intra-Community transfer of explosives. | Draft executive measure      |
| 14   | <b>Tachograph (PA Transport)</b><br>Regulation 3821/85                | Exempt small craft businesses from tachograph requirement for short journeys.                              | Legislative proposal         |

In total, measures already presented in 2009 could reduce the level of administrative burdens stemming from EU information obligations by EUR 26.5 billion.

The Prospectus Directive could bring a EUR 302 million reduction on an annual basis. The review of the Prospectus Directive aims at avoiding duplication of information obligations and clarifying the exemptions from the obligation to publish a prospectus. Therefore, it will reduce administrative burdens for issuers with listed securities, as well as intermediaries.

Thanks to the legislative proposal on textiles names and labelling, the marketing of a new fibre name could be authorised in shorter period of time (-12 months). Savings in administrative burdens are estimated at EUR 37 500 to EUR 375 000 per fibre and per year.

The draft executive measure on intra-Community transfer of explosives would enable companies to obtain all necessary permits for the intra-Community transfer of explosives from the Member State of origin instead of having to request permits individually from all Member States involved (origin, destination and transit).

## ANNEX E:

### NATIONAL TARGETS AND DEADLINES - STATE OF PLAY (16 OCTOBER 2009)

National targets and deadlines for reducing administrative burdens:

| Phases                            | Austria | Belgium | Bulgaria | Cyprus | Czech Rep. | Denmark | Estonia | Finland | France | Germany | Greece | Hungary | Ireland | Italy | Latvia | Lithuania | Luxembourg | Malta | Netherlands | Poland | Portugal | Romania | Slovakia | Slovenia | Spain | Sweden | UK   |
|-----------------------------------|---------|---------|----------|--------|------------|---------|---------|---------|--------|---------|--------|---------|---------|-------|--------|-----------|------------|-------|-------------|--------|----------|---------|----------|----------|-------|--------|------|
| Target announced (%)              | -25%    | -25%    | -20%     | -20%   | -20%       | -25%    | (1)     | -25%    | -25%   | -25%    | -25%   | -25%    | -25%    | -25%  | -25%   | -30%      | -15%       | -15%  | -25%        | -25%   | -25%     | -25%    | -25%     | -25%     | -30%  | -25%   | -25% |
| Target (year of decision)         | 2007    | 2009    | 2009     | 2008   | 2005       | 2005    | 2009    | 2009    | 2006   | 2006    | 2007   | 2008    | 2008    | 2007  | 2008   | 2009      | 2009       | 2008  | 2007        | 2008   | 2008     | 2008    | 2007     | 2007     | 2007  | 2006   | 2006 |
| Deadline for implementation       | 2010    | 2012    | 2012     | 2012   | 2010       | 2010    | 2012    | 2012    | 2011   | 2011    | 2012   | 2012    | 2012    | 2012  | 2013   | 2011      | 2012       | 2012  | 2011        | 2010   | 2012     | 2012    | 2012     | 2012     | 2012  | 2010   | 2010 |
| Full (F) or Sectoral (S) baseline | F       | F       | F        | F      | F          | F       | S       | F       | F      | F       | F      | F       | F       | F     | S      | S         | S          | S     | F (2)       | S      | F        | F       | F        | S        | F     | F      | F    |

**Notes:**

- (1) Estonia: target decided in principle, percentage to be set once the measurement is completed
- (2) The Netherlands: this is the second reduction programme, after a first (2004-2007) delivered a first 25 % reduction.

**ANNEX F:**  
**POSSIBLE EXTENSION OF THE ACTION PROGRAMME**

This annex lists those acts where an examination of the potential for the removal of unnecessary administrative burden will be undertaken in view of their possible inclusion as part of the new initiatives for reducing administrative burdens during the next Commission. In a number of cases, the acts listed form part of a broader simplification exercise in the course of which administrative burdens will de facto be screened with the aim of removing those that are not necessary. The objective to reduce administrative burden needs however to be reconciled with the overarching policy objectives of the measures under preparation.

**1. POSSIBLE EXTENSION OF THE SCOPE OF THE CURRENT 13 PRIORITY AREAS**

*\* items with simplification potential listed in COM(2009)17*

| Nr. | Priority Area      | Title of legal instrument(s)  |
|-----|--------------------|---|
| 1   | Agriculture *      | <p><b>Seed and plant propagating material</b></p> <ul style="list-style-type: none"> <li>- Council Directive 66/401/EC on the marketing of fodder plant seed</li> <li>- Council Directive 66/402/EC on the marketing of cereal seed</li> <li>- Council Directive 2002/53/EC on the common catalogue of varieties of agricultural plant species</li> <li>- Council Directive 2002/54/EC on the marketing of beet seed</li> <li>- Council Directive 2002/55/EC on the marketing of vegetable seed</li> <li>- Council Directive 2002/56/EC on the marketing of seed potatoes</li> <li>- Council Directive 2002/57/EC on the marketing of seed of oil and fibre plants</li> <li>- Council Directive 68/193/EC on the marketing of material for the vegetative propagation of the vine</li> <li>- Council Directive 1998/56/EC on the marketing of propagating material of ornamental plants</li> <li>- Council Directive 92/33/EC on the marketing of vegetable propagating and planting material, other than seed</li> <li>- Council Directive 92/34/EC on the marketing of fruit plant propagating material and fruit plants intended for fruit production</li> <li>- Council Directive 1999/105/EC on the marketing of forest reproductive material</li> </ul> |
| 2   | Environment *      | <p><b>Waste legislation</b></p> <ul style="list-style-type: none"> <li>- Decision 2000/532/EC establishing a list of wastes (+ 3 amendments)</li> </ul>   |
| 3   | Environment *      | <p><b>Waste and recycling legislation</b></p> <ul style="list-style-type: none"> <li>- European Parliament and Council Directive 94/62/EC on packaging and packaging waste (+ 6 Commission implementing Decisions (on the identification system for packaging materials, on formats relating to the database system, on derogation and on national measures in 3 Member States)</li> <li>- Directive 2004/12/EC of the European Parliament and of the Council of 11 February 2004 amending Directive 94/62/EC on packaging and packaging waste (+3 amendments)</li> </ul>   |
| 4   | Environment *      | <p><b>Water</b></p> <ul style="list-style-type: none"> <li>- Council Directive 98/83/EC on the quality of water intended for human consumption</li> <li>- Directive 2008/105/EC on environmental quality standards in the field of water policy (3) + transitional measures for new Member States</li> </ul>  |
| 5   | Environment *      | <p><b>Environmental pollution</b></p> <p>Council Directive 87/217/EEC on the prevention and reduction of environmental pollution by asbestos</p>  |
| 6   | Environment        | <p><b>Fertilizers</b></p> <p>Regulation (EC) No 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers</p>  |
| 7   | Financial services | <p><b>Insurance mediation</b></p>   |

| Nr. | Priority Area                                 | Title of legal instrument(s)   |
|-----|---|--|
|     |   | Directive 2002/92/EC of the European Parliament and the Council of 9 December 2002 on insurance mediation.   |
| 8   | Financial services *                          | <p><b>Distance marketing</b></p> <p>Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC</p>   |
| 9   | Fisheries                                     | <p><b>Fishing regimes</b></p> <ul style="list-style-type: none"> <li>- Council Regulation (EC) No 1342/2008 of 18 December 2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks and repealing Regulation (EC) No 423/2004</li> <li>- Multiannual recovery or management plans concerning certain fish stocks, e.g. Regulation (EC) 676/2007 establishing a multiannual plan for fisheries exploiting stocks of plaice and sole in the North Sea (rather all legislation on fisheries management plans)</li> <li>- Council Regulation (EC) No 1098/2007 of 18 September 2007 establishing a multiannual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks</li> </ul> |
| 10  | Pharmaceutical and medical legislation/Health | <p><b>Medical Devices</b></p> <ul style="list-style-type: none"> <li>- Council Directive 90/385/EEC of 20 June 1990 on the approximation of the laws of the Member States relating to active implantable medical devices</li> <li>- Council Directive 93/42/EEC of 14 June 1993 concerning medical devices</li> </ul>  |
| 11  | Statistics *                                  | <p><b>Waste Statistics</b></p> <p>Regulation (EC) No 2150/2002 on waste statistics</p>   |
| 12  | Statistics *                                  | <p><b>European System of Accounts</b></p> <p>Regulation (EC) No 1221/2002 of the European Parliament and of the Council of 10 June 2002 on quarterly non-financial accounts for general government</p>   |
| 13  | Taxation & Customs *                          | <p><b>Interest and royalty payments</b></p> <p>Council Directive 2003/49/EC on a common system of taxation applicable to interest and royalty payments made between associated companies of different Member States</p>  |
| 14  | Taxation & Customs *                          | <p><b>Excise duty on alcohol</b></p> <p>Directive 92/83/EC on the harmonisation of the structures of excise duty on alcohol and alcoholic beverage</p>   |
| 15  | Taxation & Customs *                          | <p><b>Duty-free admission of fuel</b></p> <p>Directive 68/297/EC on the standardisation of provisions regarding the duty-free admission of fuel contained in the fuel tanks of commercial motor vehicles</p>   |
| 16  | Transport *                                   | <p><b>Boat masters' certificates</b></p> <p>Council Directive 96/50/EC on the harmonisation of the conditions for obtaining national boat masters' certificates for the carriage of goods and passengers by inland waterway in the Community</p>   |
| 17  | Working Environment                           | <p><b>Safety and/or health signs at work</b></p> <p>Council Directive 92/58/EEC of 24 June 1992 on the minimum requirements for the provision of safety and/or health signs at work</p>  |
| 18  | Working environment/ employment relations *   | <p><b>Statute for European Cooperative Society and European Company</b></p> <ul style="list-style-type: none"> <li>- Council Directive 2003/72/EC of 22 July 2003 supplementing the Statute for a European Cooperative Society with regard to the involvement of employees</li> <li>- Council Directive 2001/86/EC of 8 October 2001 supplementing the Statute for a European company with regard to the involvement of employees</li> </ul>   |
| 19  | Working environment/                          | <p><b>Musculo-skeletal disorders at work</b></p>   |

| Nr. | Priority Area          | Title of legal instrument(s)   |
|-----|------------------------|--|
|     | employment relations * | <p>Council Directive 90/270/EEC of 29 May 1990 on the minimum safety and health requirements for work with display screen equipment</p> <p>Council Directive 90/269/EEC of 29 May 1990 on the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers</p> |

## 2. POSSIBLE EXTENSION TO NEW PRIORITY AREAS

*\* items with simplification potential listed in COM(2009)17*

|    | Priority Area               | Title of legal instrument(s)   |
|----|-----------------------------|--|
| 20 | Civil law / commercial law  | <p><b>Processing of personal data</b></p> <p>Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data</p>   |
| 21 | Civil law / commercial law  | <p><b>Electronic communications services or of public communications networks</b></p> <p>Directive 2006/24/EC of the European Parliament and of the Council of 15 March 2006 on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks and amending Directive 2002/58/EC</p>  |
| 22 | Civil law / commercial law  | <p><b>Information society services and electronic commerce</b></p> <p>Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce')</p>   |
| 23 | Internal market for goods * | <p><b>Recreational craft</b></p> <p>Directive 94/25/EC relating to recreational craft on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft</p>  |
| 24 | Internal market for goods * | <p><b>Non road mobile machinery</b></p> <p>Directive 97/68/EC on the emissions of gaseous and particulates pollutants of non road mobile machinery</p>   |
| 25 | Internal market for goods * | <p><b>Noise emissions</b></p> <p>Directive 2000/14/EC on noise emissions in the environment by equipment used outdoors</p>   |
| 26 | Internal market for goods * | <p><b>Radio and telecommunications terminal equipment</b></p> <p>Directive 1999/5/EC on radio and telecommunications terminal equipment</p>  |
| 27 | Research & Development      | <p><b>Seventh Framework Programme for RTD</b></p> <p>Decision No 1982/2006/EC of European Parliament and of the Council of 18 December 2006 concerning the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007-2013)</p> <p>Regulation (EC) No 1906/2006 of European Parliament and of the Council of 18 December 2006 laying down the rules for the participation of undertakings, research centres and universities in actions under the Seventh Framework Programme and for the dissemination of research results (2007-2013)</p> <p>Commission decision on the adoption and a modification of special clauses applicable to the model grant agreement adopted on 10 April 2007 in the context of the implementation of the Seventh Framework Programmes of the European Community (2007-2013)</p> |
| 28 | Tourism *                   | <p><b>Package travel, package holidays and package tours</b></p> <p>Council Directive 90/314/EEC on package travel, package holidays and package tours</p>   |

**ANNEX G:**  
**LEGISLATIVE PROPOSALS**  
**PENDING ADOPTION BY THE EUROPEAN PARLIAMENT AND COUNCIL**

A number of important legislative reduction proposals have been presented by the Commission and are currently pending adoption by the European Parliament and in the Council. The first table provides an overview per priority area of the reduction potential at stake. The second table provides a more detailed list of the pending legislative proposals.

Note that in addition to the legislative reduction proposals listed below, a number of executive measures, IT tools, guidance documents, etc, have been presented (cf. Annex C). Figures provided in the main text are therefore partially different from what follows.

**1. REDUCTION POTENTIAL OF LEGISLATIVE PROPOSALS PRESENTED BY THE COMMISSION**

| Priority Area                              | Presented by Commission |                        | Adopted by co-legislator |                       | Pending with co-legislator |                        |
|--|-------------------------|------------------------|--------------------------|-----------------------|----------------------------|------------------------|
|  | #                       | €                      | #                        | €                     | #                          | €                      |
| Agriculture / Agricultural Subsidies       | 3                       | -299 500 000           | 3                        | -299 500 000          | 0                          | 0                      |
| Annual Accounts / Company Law              | 7                       | -8 274 500 000         | 5                        | -1 362 900 000        | 2                          | -6 911 600 000         |
| Cohesion Policy                            | 3                       | -114 200 000           | 2                        | -64 200 000           | 1                          | -50 000 000            |
| Environment                                | 5                       | -242 100 000           | 1                        | -3 600 000            | 4                          | -238 500 000           |
| Financial Services                         | 6                       | -141 600 000           | 5                        | -142 500 000          | 1                          | 900 000                |
| Fisheries                                  | 2                       | -33 000 000            | 1                        | -19 000 000           | 1                          | -14 400 000            |
| Food Safety                                | 4                       | 80 500 000             | 3                        | -23 300 000           | 1                          | 103 800 000            |
| Pharmaceutical Legislation                 | 2                       | -101 000 000           | 1                        | -40 100 000           | 1                          | -61 000 000            |
| Public Procurement                         | 0                       | 0                      | 0                        | 0                     | 0                          | 0                      |
| Statistics                                 | 5                       | -222 900 000           | 5                        | -222 900 000          | 0                          | 0                      |
| Taxation/Customs                           | 6                       | -26 334 200 000        | 4                        | -3 133 100 000        | 2                          | -23 201 100 000        |
| Transport                                  | 4                       | -513 700 000           | 2                        | -403 800 000          | 2                          | -109 900 000           |
| Working Environment / Employment Relations | 1                       | -20 000                | 1                        | -20 000               | 0                          | 0                      |
| <b>Total</b>                               | <b>48</b>               | <b>-36 196 400 000</b> | <b>33</b>                | <b>-5 714 900 000</b> | <b>15</b>                  | <b>-30 481 500 000</b> |

NB: In exceptional cases the figure for the number of measures per priority area may comprise several legal acts which have been grouped together as one item; refer to the sectoral reduction plans (Annex C) for details.

**2. LIST OF LEGISLATIVE REDUCTION PROPOSALS PENDING IN THE EUROPEAN PARLIAMENT AND THE COUNCIL**

| Reference of Proposal         | Date of Proposal |
|-------------------------------|------------------|
| Annual Accounts / Company Law |                  |



|  |            |
|--|------------|
| Proposal for a Directive of the European Parliament and of the Council as regards publication and translation obligations of certain types of companies - COM(2008)194 | 2008/04/17 |
| Proposal for a Directive of the European Parliament and of the Council as regards micro-entities - COM(2009)83   | 2009/02/26 |

#### **Cohesion**

|   |            |
|---|------------|
| Proposal for a Council Regulation amending Regulation (EC) No 1083/2006 concerning general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund as regards simplification of certain requirements and as regards certain provisions relating to financial management - COM (2009) 384 | 2009/07/22 |
|---|------------|

#### **Environment**

|  |            |
|--|------------|
| Proposal for a Directive of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) - COM(2007) 844 | 2007/12/21 |
| Proposal for a Regulation of the European Parliament and of the Council on substances that deplete the ozone layer - COM(2008)505                            | 2008/08/01 |
| Proposal for a Directive of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE) - COM (2008)810                   | 2008/12/03 |
| Proposal for a Directive on the placing on the market and use of biocidal products - COM (2009) 267  | 2009/06/12 |

#### **Financial Services**

|   |            |
|---|------------|
| Proposal for a Directive of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) - COM(2007)361 * | 2007/07/10 |
|---|------------|

#### **Fisheries**

|  |            |
|--|------------|
| Proposal for a Council Regulation establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy - COM(2008)721 | 2008/11/14 |
|--|------------|

#### **Food Safety**

|   |            |
|---|------------|
| Proposal for a Regulation of the European Parliament and of the Council on the provision of food information to consumers - COM(2008)40 | 2008/01/30 |
|---|------------|

#### **Pharmaceutical Legislation**

|   |            |
|---|------------|
| Proposal for a Directive of the European Parliament and of the Council as regards pharmacovigilance - COM(2008) 665 | 2008/12/10 |
|---|------------|

#### **Taxation / Customs**

|   |            |
|---|------------|
| Proposal for a Council Directive amending Directive 77/388/EEC with a view to simplifying value added tax obligations - COM(2004)728                    | 2004/10/29 |
| Proposal for a Council Directive amending Directive 2006/112/EC on the common system of value added tax as regards the rules on invoicing - COM(2009)21 | 2009/01/28 |

| <b>Transport</b>   |            |
|--|------------|
| Proposal for a Regulation of the European Parliament and Council establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator - COM(2007)263 and Proposal for a Regulation on access to the market in the carriage of goods by road within the Community to or from the territory of a Member State or passing across the territory of one or more Member States - COM(2007)265 * | 2007/05/23 |
| Proposal for a Directive of the European Parliament and of the Council on reporting formalities for ships arriving in and/or departing from ports of the Member States of the Community - COM(2009)11  | 2009/01/21 |

NB: The asterix indicates that the co-legislator reached a political agreement but that the new legal act has not yet been published.