

# Commission Communication on Better Regulation - The Confederation of Swedish Enterprise's response to the Commission's call for evidence

The Confederation of Swedish Enterprise welcomes the European Commission's initiative to update and strengthen the EU's Better Regulation framework. A modern, predictable and evidence-based law-making system is essential for competitiveness, innovation, legal certainty and growth.

Increasing regulatory burdens - often caused by poor legislative process, lack of impact assessment, and over-reliance on delegated and implementing acts – put unnecessary burden on companies and risk undermining EU competitiveness.

For further detailed proposals for better regulation activities, we refer to our [position paper Four suggestions for Better Regulation within the EU](#).

## 1. Better regulation activities

The Better Regulation toolbox provides the Commission with adequate mechanisms for consultation, impact assessments, evaluations, and fitness checks. These tools are today not used to the extent necessary to guarantee good law making, especially when legislation is developed under time pressure.

The Commission's own guidelines and the Better Regulation toolbox should be used more consistently and rigorously. The agreed principles should be translated into concrete action.

Another urgent action with far-reaching impact is a revision of the Interinstitutional Agreement on Better

Law-Making (IIA). The IIA describes the responsibility to deliver high-quality legislation, and a revitalization and targeted revision is needed to emphasize and ensure good law making independently of the political environment. This is an opportunity to ensure a legislative environment that enables businesses to develop and stay competitive.

## 2. Stakeholder Consultations

Consultations are central to Better Regulation but often lack coherence, quality and transparency. Question framing in the consultations can be one-sided or suggestive, limiting the scope of responses and producing biased outcomes.

Reality checks and implementation dialogues are essential for understanding the practical impact of EU rules. They should be systematically organised early in the legislative cycle and with the right stakeholders where businesses play an important role.

Consultations should be launched with deadlines enabling broad participation. Launching consultations during holiday periods or with short deadlines limits stakeholders' ability to provide high-quality input and doesn't leave sufficient time for stakeholders to gather and consolidate data for their replies.

We support shifting toward a "once-only" approach for evidence collection, reducing stakeholder fatigue and duplicative requests. Robust, inclusive and well-timed consultations from beginning and throughout the regulatory process, an early involvement of relevant

stakeholders, asking relevant questions in the process and when necessary, follow-up with roundtables and smaller seminars will be key for an effective and future proof EU legislation.

### 3. Implementation

The use of delegated and implemented acts increases unpredictability and can create fragmented frameworks that delay compliance and reduce legal certainty for businesses. The over-use of delegated and implemented acts needs to be reduced.

Legislation should be drafted with implementation in mind from start and not be seen as a necessary add-on in the end. Overlapping rules and unnecessary duplication need to be avoided, and coherence with existing frameworks must be guaranteed.

Implementation dialogues need to be conducted regularly to address practical obstacles early in the process and stakeholders such as affected businesses must be included so possible regulatory burdens for companies can be identified and avoided.

The application of digital tools and even AI can be useful and simplify the administrative part of law making to some extent, but it can never replace a solid law-making process using the Better Regulation toolbox consistently and rigorously.

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