

The European Commission's Better Regulation and Enforcement Communication and what it means to businesses

The Confederation of Swedish Enterprise welcomes the European Commission's Better Regulation and Enforcement Communication and acknowledges the Commission's efforts to improve regulation and reduce burdens for European companies.

However, more clarity from the Commission how this will be implemented and enforced is needed.

In our input to the European Commission ahead of the Better Regulation and Enforcement Communication, the Confederation of Swedish Enterprise emphasised the need for consistent use of the Better Regulation toolbox; a revision of the Interinstitutional Agreement on Better Law-Making (IIA); improved stakeholder consultations; legislation drafted with implementation in mind; the use of implementation dialogues and reality checks; and targeted action, based on concrete examples and best practice, to reduce the regulatory burden on business.

Increasing regulatory burdens, often caused by poor legislative processes, inadequate impact assessments, and over-reliance on delegated and implementing acts, place unnecessary pressure on companies and risk undermining EU competitiveness. A law-making system that applies the Better Regulation guidelines and toolbox consistently is therefore of the utmost importance.

We therefore welcome the Better Regulation and Enforcement Communication and its focus on simplicity by design; strengthening the EU's better regulation system; regulatory "deep cleaning"; acting against gold-plating; and faster, more robust enforcement. These

proposed actions are essential to improving the EU law-making process.

We acknowledge the Commission's call on the European Parliament, the Council, and the Member States to adhere to the toolbox when exercising their responsibilities. Nevertheless, **more clarity on how this should be implemented** is needed to ensure that these proposals work in practice.

We also fear that the future role of the **Regulatory Scrutiny Board** could be weakened rather than strengthened if it is expected not only to issue qualified opinions but also to provide recommendations for improvement. It is not entirely clear how binding these recommendations will be, or whether they will be taken into account in practice. We also see a risk that certain initiatives may be presented as recommendations rather than opinions.

In practice, the European Parliament and the Council do not assess the impact of their **substantial amendments** to the Commission's proposals. The Commission therefore suggests a three-step approach for such amendments. This is an important step forward, but it is merely an invitation to the Parliament and the Council to follow rules that already exist under the Interinstitutional Agreement on Better Law-Making (IIA) and the Better Regulation toolbox.

The European Commission would have been well advised to state clearly that the IIA must regain its strength and meaning, and that **a revitalisation and targeted revision of the IIA** is needed to safeguard good law-making regardless of the political environment. This is an opportunity to ensure a legislative framework that enables businesses to develop and remain competitive.

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